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NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 1, January 2, 1942

NEW WARTIME GUIDE

As a wartime service to the government, to the industry and to the public, the NAB will soon issue a new and enlarged guide to good broadcasting practice during the war.

Official sources will be consulted and utilized to the fullest extent in preparing this guide.

However, the experience and advice of practical broadcasters will be of equally great help.

Please re-read the six War Service Bulletins and the "Blue Bulletin" issued December 18.

Have we covered all the important points and have we covered them thoroughly enough? Are there additional important points which, from your practical experience, you think should be covered?

As the NAB sizes it up, the most important questions involve news, quiz programs, ad lib programs, man-in-the-street programs, request programs, talks or speeches, official announcements, foreign language programs and weather reports.

We shall appreciate a letter expressing your views.

NETWORKS SUED

The Justice Department filed an anti-trust suit against RCA, NBC and CBS in Chicago on Wednesday, apparently covering approximately the same ground as the FCC network rules. Details were lacking at press time.

BOARD AND CODE COMMITTEE TO MEET

The Board of Directors of NAB has been called to meet at the Willard Hotel, Washington, D. C., January 8 and 9.

The Code Committee has been scheduled for a meeting on Wednesday, January 7, also at the Willard Hotel.

Preliminary to the Board meeting the NAB Executive as well as the Finance Committee will hold sessions on Wednesday evening.

DAYLIGHT SAVING

On Tuesday Senator Wheeler introduced the following bill (S. 2160), which was referred to the Committee on Interstate Commerce, providing for nationwide daylight saving time during war. It is understood that this measure will be taken up shortly after Congress reconvenes on January 5 and that the House Committee on Interstate and Foreign Commerce will shortly report on the daylight saving bills before it. NAB appeared before the House Committee and urged adoption of nationwide daylight saving time (see NAB Reports, September 5, 1941, page 723). We print the bill in full:

A BILL

To amend section 3 of the Act of March 19, 1918, entitled "An Act to save daylight and to provide standard time for the United States" (40 Stat. 450).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of March 19, 1918, entitled "An Act to save daylight and to provide standard time for the United States" (40 Stat. 450), be, and the same is hereby, amended and reenacted as follows:

"Sec. 3. That during the continuance of the present war and for a period not to exceed six months thereafter the President is authorized from time to time by proclamation to advance or to retard the standard time of each zone, or any part thereof: *Provided,* That during no period shall the time of any zone, or any part thereof, be advanced more than two hours."

ALIEN SHORT WAVE RECEIVERS

Attorney General Francis Biddle today extended regulations affecting the conduct of German, Italian and Japanese nationals in the Ninth Corps Area to include those in the State of Arizona.

Under the regulations, which were issued by authority of Presidential proclamations relating to enemy aliens, all German, Italian and Japanese nationals resident in the State of Arizona are ordered to surrender to the local police authorities before *11 p. m., Tuesday, December 30, 1941,* any and all of the following equipment in their possession:

(a) Radio transmitters;
(b) Short wave radio receiving sets;
(c) Hand cameras and, with certain specified exceptions, other cameras.

By terms of the regulations, the penalty for wilful failure to surrender prohibited articles is forfeiture of the articles and appre-

(Continued on page 2)

NAB Reports
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1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

ALIEN SHORT WAVE RECEIVERS

(Continued from page 1)

hension of the alien enemy, with possible internment for the duration of the war.

In announcing the extension of regulations which already cover enemy aliens in California, Oregon, Washington, Montana, Idaho, Utah and Nevada, the Attorney General explained that although Arizona is not in the Ninth Corps Area it is included in the Western Defense Command. Military authorities have requested, Mr. Biddle said, that the restriction on conduct of enemy aliens be extended throughout the Command area.

Similar regulations affecting enemy aliens throughout the rest of the United States, Puerto Rico and the Virgin Islands may be expected shortly, the Attorney General said.

Sales

Case Histories Needed

Success stories for the NAB files are especially needed, to fill requests received last week, on gas companies, department stores and grocery stores.

Any other case histories you have on other products will be welcomed, to make our files a truly representative clearing house for radio success stories of all kinds. These stories are available, free of charge, to all member stations, but your cooperation is needed to make the service effective.

Standard Schedule Forms Coming

Standard radio schedule forms, as recommended by the Radio Executives Club of New York, will be printed and ready for resale at cost to NAB members shortly after January 1. A sample form will be sent to each station.

On the Per-Inquiry Front

Major Advertising Agency, St. Louis, is seeking per-inquiry deals on behalf of Thompson's Nek-Eez, a patented pillow. The client has been invited to use radio on the basis of established rates.

Others reported by member stations during the week were listed in previous Reports. It is encouraging to note that more stations, in turning down these attempts, are expressing to the clients the radio industry's attitude on this subject, and are inviting them to use radio properly.

KHQ-KGA GIVES BONUS IN DEFENSE BONDS

Resounding cheers went up Wednesday night, December 17, at the annual Christmas party of the KHQ-KGA (Spokane) staffs, when Louis Wasmer, owner, announced to his employees, that their bonuses would be in Defense Savings Bonds this year, instead of the usual cheques.

The presentation of bonuses to employees of KHQ-KGA is not new. Mr. Wasmer inaugurated the percentage of profit system some twenty years ago, when he started KHQ, in Seattle. As North East Area Director of the Treasury's Defense Savings Bond and Stamp program, Mr. Wasmer said:

"This year has been our best since we started. Both KHQ and KGA, from a money-making standpoint, have far exceeded my expectations. However, despite our good fortune, I wish to impress on you that, though we gather here this evening to celebrate, this may be the last time we may do so, if we do not do our share in the crisis confronting us. We can render a great service to our country on the morale front. This we are doing; cooperating with all branches of the government. But we must do more. We must help finance the war that was forced upon us. Thousands, hundreds of thousands or millions will not suffice. Billions are needed! To help achieve this end—a victorious end—I am giving each of you your annual bonus in Defense Savings Bonds, instead of cheques.

"Now, I know many of you have incurred debts and have been looking forward to your bonus to eradicate them. Tighten your belts; get used to going without the things you don't need. We have a war to win, and it will be won by one hundred and thirty million Americans like you with their dollars in Defense Savings Bonds and Stamps. With God's help we'll win!"

At the conclusion of Mr. Wasmer's talk, Mr. Harvey Wixson, station manager, distributed the Defense Savings Bonds, amounting to over $22,000.

Harold Zent, Public Relations Director for the two Spokane stations, explained the purchase of Defense Savings Bonds through the Voluntary Pay Roll Deduction Plan. This met with immediate approval. Zent believes that by the first of the year the majority of the employees will have subscribed to this method of purchasing Defense Savings Bonds.

The NAB would like to publish any other Defense Bond plans institution by member stations.

STANDARD FREQUENCY BROADCASTS

"The standard frequency service of the National Bureau of Standards station WWV has been extended to include another carrier frequency (15 megacycles). Temporary equipment is still in use while a new transmitting station is being built. The broadcast is continuous at all times day and night from 1-kilowatt transmitters, and carries the standard musical pitch and other features."

Full details about the transmissions may be obtained by writing to the National Bureau of Standards, Washington, D. C., requesting the December 29 release entitled "Standard Frequency Broadcast of National Bureau of Standards."

PUBLISHER JOINS SESAC

SESAC announces that "The C. L. Barnhouse Company of Oskaloosa, Iowa, one of the largest band and orchestra music publishers in the United States, has become affiliated with SESAC."

The Barnhouse catalog contains over 3,000 publications composed of approximately 1,500 band compositions, 750 orchestra publications, 500 instrumental numbers, and numerous ensemble chamber music compositions.

FEDERAL LEGISLATION

SENATE

S. 2160 (Wheeler, D-Mont.) DAYLIGHT SAVING TIME—To amend section 3 of the Act of March 19, 1918, entitled "An Act to save daylight and to provide standard time for the United States" (40 Stat. 450). Referred to the Committee on Interstate Commerce.

FEDERAL COMMUNICATIONS COMMISSION

FLY PRESS CONFERENCE

At a press conference early this week FCC Chairman. James Lawrence Fly, was asked about the story which has been going around to the effect that there would be a meeting on the war situation between the broadcast industry, himself and John H. Ryan, the new broadcast aid to censor Byron Price.

Mr. Fly said that he had no knowledge of any such conference but said "I assume there will be continuing conferences. I have had some talks with different individuals and leaders of the industry and trade association people from time to time," he said, and "generally on more or less specific angles of the matter and I know there will be continuing contact. However, the question which you are asking, I think, is whether or not there is a formal conference arranged in round-table fashion, and as far as I am concerned the answer is no."

Mr. Fly announced that the next newspaper-radio hearing is scheduled for January 8. "I was under the impression," he said, "that the newspaper committee wanted additional time but I don't think I have had any formal request from them."

MIDDLETOWN, N. Y., STATION

The FCC has adopted and made final its Proposed Findings of Fact and Conclusions (B-139) granting a construction permit to the Community Broadcasting Corporation for a new broadcast station at Middletown, N. Y., to operate on the frequency 1340 kilocycles with power of 250 watts, unlimited time. Such action necessitates denial of application by Herbert L. Wilson for like facilities there.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 5. They are subject to change.

Monday, January 5

Consolidated Hearing

NEW—R. O. Hardin, tr/as Nashville Broadcasting Company, Nashville, Tenn.—C. P., **1240 kc.,** 250 watts, unlimited facilities of WSIX.

NEW—John R. Crowder, tr/as Dimple Broadcasting Company, Columbia, Tenn.—C. P., **1240 kc.,** 250 watts, unlimited.

NEW—Tennessee Radio Corporation, Nashville, Tenn.—C. P., **1240 kc.,** 250 watts, unlimited facilities of WSIX.

Wednesday, January 7

Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), **920 kc.,** 1 KW night, 5 KW day, unlimited.

Thursday, January 8

Further Hearing

To Be Held in Room 6121—New Post Office Building, 12th Street and Pennsylvania Avenue, N. W.

Investigation to determine what policy or rules, if any, should be promulgated in connection with operation of new high frequency (FM) broadcast stations and for future acquisition of standard broadcast stations by newspapers, Pursuant to Order No. 79.

Thursday, January 8

W8XO—The Crosley Corporation, Cincinnati, Ohio.—C. P., **700 kc.,** emission A-3, 100 to 750 KW, 12 midnight to 6 a. m., EST and Sec. 4.4(a).

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Susquehanna Broadcasting Co., York, Pa.—Granted construction permit (B2-P-3314) for new station to operate on **900 kc.,** 1 KW, daytime only, exact site to be determined subject to Commission approval.

Jacksonville Broadcasting Corp., Jacksonville, Fla.—Granted construction permit (B3-P-3385), conditional to engineering approval of directional antenna pattern, for new station to operate on **1270 kc.,** 5 KW night and day, using directional antenna at night, unlimited time.

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Granted modification (B5-MP-1385) of construction permit (B5-P-2631) to operate with 1 KW night and day; installation of new transmitter and directional antenna for night use and change proposed transmitter site to 1¼ miles N. of NE. corner of Modesto, south side of Norwegian Ave., west of Coffe Road, Calif., unlimited time. Now has 250 watts day on **860 kc.**

WABI—Community Broadcasting Service, Inc., Bangor, Maine.—Granted modification (B1-MP-1311) of construction permit (B1-P-2349) for approval of transmitter site at 1.7 miles SE of Bangor business district (present site) and directional antenna for night use.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Granted construction permit (B4-P-3269) to make changes in directional antenna for night use, install new transmitter and increase power from 1 to 5 KW, **1300 kc.,** unlimited time.

W9XG—Purdue University, West Lafayette, Ind.—Granted modification (B4-MPVB-64) of construction permit (B4-PVB-52) to make change in aural transmitter, change aural emission to Special for FM, completion date to remain September 24, 1942.

DESIGNATED FOR HEARING

WJMS—WJMS, Inc., Ironwood, Mich.—Designated for hearing application (B2-R-800) for renewal of license for WJMS.

WATW—WJMS, Inc., Ashland, Wisc.—Designated for hearing application (B2-R-1058) for renewal of license for WATW: to be heard jointly with WJMS application listed above.

MISCELLANEOUS

WNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Denied request for special temporary authority to operate additional time January 4, 11, 18 and 25, 1942, and January 7, 14, 21 and 23, 1942.

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted special temporary authority to remain silent after 8 p. m., MST, for a period not to exceed 30 days.

The Commission (by Wakefield, Commissioner) on December 22 took the following action:

WHLD—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Denied request for special temporary authority to operate additional time December 26, 1941.

WHIP—Hammond-Calumet Broadcasting Co., Hammond, Ind.—Denied request for special temporary authority to operate additional time December 24 and 25, 1941.

KWAT—Midland National Life Insurance Co., Watertown, S. D.—Granted special temporary authority to remain silent after 6 p. m., CST, on December 25, 1941. and January 1, 1942, only, in order to observe Christmas and New Year's Day.

WSAR—Radio Station WSAR, Fall River, Mass.—Granted petition for leave to intervene in the hearing on application of Mid-state Radio Corp. for a new station in Utica, N. Y.

Woddam Corporation, New York City.—Granted petition for withdrawal without prejudice of application for new FM station.

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted petition to continue hearing now scheduled for January 9 to March 19 on application for construction permit (B2-P-2574).

New Mexico Broadcasting Co., Santa Fe, New Mexico.—Passed for one week motion to accept amendment to KGGM application Docket 6142, and remove applications in Dockets 6082, 6142 and 6143 from hearing docket.

WDNC—Durham Radio Corp., Durham, N. C.—Granted petition for order to take depositions in re applications of WDNC and WRAL for construction permits to operate on **620 kc.,** 1 KW night, 5 KW day; directional antenna day and night; unlimited time.

R. O. Hardin, tr/as Nashville Broadcasting Co., Nashville, Tenn.—Granted petition to amend application for construction permit for new station to change name of applicant to a partnership consisting of R. O. Hardin and John Buchanan, and retain January 5 as hearing date.

WDWS—The Champaign News Gazette, Inc., Champaign, Ill.—Granted license to cover construction permit for changes in equipment (B4-L-1576).

WTAM—National Broadcasting Co., Inc., Cleveland, Ohio.—Granted license to cover construction permit for changes in equipment (B2-L-1572).

WMAZ—Southwestern Broadcasting Co., Inc., Macon, Ga.—Granted modification of construction permit which authorized change in frequency, increase in power, move of transmitter and install directional antenna for day and night use, for extension of completion date from January 6, 1942, to April 6, 1942 (B3-MP-1461).

WHN—Marcus Loew Booking Agency, New York, N. Y.—Granted license to cover construction permit for changes in auxiliary transmitter and move to site of main transmitter (B1-L-1567). Granted authority to determine operating power by direct measurement of antenna input (B1-Z-1305).

KWRC—Western Radio Corp., Pendleton, Ore.—Granted license to cover construction permit for new station (B5-L-1573). Granted authority to determine power by direct measurement of antenna input (B5-Z-1312).

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Granted authority to determine operating power by direct measurement of antenna input (B5-Z-1314).

W3XPR—Philco Radio & Television Corp., Portable Mobile Area of Philadelphia, Pa.—Granted license to cover construction permit for new television relay broadcast station (B2-LVB-29).

WEQG—Evansville On The Air, Inc., Portable Mobile Area of Evansville, Ind.—Granted license to cover construction permit for new relay broadcast station (B4-LRE-367).

WAXJ—Lamar Life Insurance Co., Portable Mobile Area of Jackson, Miss.—Granted license to cover construction permit for new relay broadcast station (B3-LRY-246).

W2XYO—Columbia Broadcasting System, Inc., New York, N. Y.—Granted modification of construction permit for new ST broadcast station, for extension of completion date only, from December 22, 1941 to June 22, 1942 (B1-MPST-3).

KEGA—Earle C. Anthony, Inc., Portable Mobile Area of Los Angeles, Calif.—Granted construction permit to make changes in equipment and increase operating power from 2 watts to 4 watts, for relay broadcast station (B5-PRE-415).

W3XO—Jansky and Bailey, Washington, D. C.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43200 kc.,** 1000 watts, special emission located at 1219 Wisconsin Avenue, at Georgetown, D. C., for the period December 28, 1941, and ending not later than February 25, 1942.

KONB—MSB Broadcast Co., Omaha, Neb.—Granted modification (B4-MP-1460) of construction permit (B4-P-2697), for authority to install new type transmitter, make changes in antenna system, and extend commencement and completion dates to 30 and 120 days after grant respectively.

WELL—Federated Publications, Inc., Battle Creek, Mich.—Granted petition for continuance of hearing now set for January 6 to March 4, 1942, in re application of WELL for renewal of license.

WHN—Marcus Loew Booking Agency, New York, N. Y.—Granted license to cover construction permit which authorized new transmitter, installation of directional antenna for day and night use, increase in power, change in frequency, and move (B1-L-1566); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1304).

WGTM—WGTM, Inc., Wilson, N. C.—Granted extension of special temporary authority to operate with studio at 115 West Nash St., Wilson, N. C., in lieu of site specified in construction permit, for a period beginning December 23, 1941 and ending not later than January 21, 1942.

WELW—WBNS, Inc., Columbus, Ohio.—Granted special temporary authority to operate relay broadcast station WELE in exact accordance with license which expired December 1, 1941, on temporary basis only for period not to exceed 30 days, pending action on application for reinstatement of license.

KUOA—KUOA, Inc., Siloam Springs, Ark.—Granted special temporary authority to operate additional time from 7 to 9 p. m., CST, January 3, 1942, using power of 1 KW only, in order to broadcast program in connection with a banquet at John Brown University.

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Denied request for special temporary authority to operate additional time on January 8, 9, 10, 12, 13, 16, 17, 19, 20, 24, 30 and 31, 1942.

Radio Corporation of Orlando, Orlando, Fla.—Placed in pending files pursuant to Order No. 79, application (B3-P-2806) for construction permit for new station.

The Gazette Company, Cedar Rapids, Iowa.—Denied petition to reconsider and grant application for a construction permit for a new broadcast station to operate on **1600 kc.,** with 5 KW power, unlimited time; removed application from hearing docket and placed in pending files pursuant to Order 79.

WINS—Hearst Radio, Inc., New York, N. Y.—Denied Special Service Authorization (B1-SSA-12) to increase power to 5 KW night and day, using WHN's transmitter at WHN's old site. Extended present temporary authorization to operate WINS by indirect method, with power of 1 KW, using old WHN transmitter and antenna system at site formerly occupied by WHN.

W8XO—Crosley Corporation, Cincinnati, Ohio.—Denied petition to reconsider and grant without hearing application for a construction permit to make changes in transmitter and increase maximum operating power to 700 KW. Now licensed on **700 kc.,** with power from 100 to 500 KW.

W9XYH—Head of the Lakes Broadcasting Co., Superior, Wisc.—Denied request for special temporary authority to operate experimental high frequency station W9XYH commercially.

APPLICATIONS FILED AT FCC

630 Kilocycles

WPRO—Cherry and Webb Broadcasting Co., Providence, R. I.—Authority to determine operating power by direct measurement.

680 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Acquisition of control of corporation from News Broadcasting Company to Barton Pitts, 5 shares common stock.

770 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Modification of special service authorization to change power from 25 KW night, 50 KW day to 50 KW and extend expiration date from 1-9-42 to 2-1-42.

790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Transfer of control of corporation from R. E. McDonald and Barbara McDonald to Wm. J. Wagner, 332 share common stock.

860 Kilocycles

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—License to cover construction permit (B2-P-3149) as modified, for a new broadcast station.

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—Authority to determine operating power by direct method.

930 Kilocycles

WSAZ—WSAZ, Inc., Huntington, W. Va.—License to cover construction permit (B2-P-2856) as modified, for new transmitter, directional antenna for night use, change frequency, hours and move transmitter.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Authority to determine operating power by direct method.

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Modification of construction permit (B3-P-3316) for a new station, requesting approval of antenna and transmitter site and studio location and change type of proposed transmitter.

1050 Kilocycles

KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of construction permit (B-P-3089) for increase in power, equipment changes and antenna, requesting change in frequency from **1460** to **1050 kc.,** changes in equipment and extension of commencement and completion dates from 9-9-41 and 3-9-42 to 20 days after grant and 30 days thereafter, respectively.

1110 Kilocycles

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Construction permit to install a directional antenna for night use. Amended: to install new transmitter and move transmitter.

1250 Kilocycles

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Modification of construction permit (B3-P-2985) as modified, for installation of new transmitter, directional antenna for night use, change in frequency, increase in power and move of transmitter, requesting extension of completion date from 1-21-42 to 4-21-42.

1330 Kilocycles

WFIN—Findlay Radio Co., Findlay, Ohio.—License to cover construction permit (B2-P-2846) as modified for a new station.

WFIN—Findlay Radio Co., Findlay, Ohio.—Authority to determine operating power by direct method.

1350 Kilocycles

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover construction permit (B4-P-2726) as modified, to move transmitter, new directional antenna for night and increase in power.

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct method.

1360 Kilocycles

WSAI—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-P-2221) as modified, for increase in power, installation of directional antenna for night and day use and move, requesting changes in directional antenna, **1360 kc.** under NARBA and extension of completion date from 7-15-41 to 180 days after grant and 250 watt booster station. Amended: re booster station to change power to 100 watts and hours from unlimited to daytime.

1370 Kilocycles

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification of license to use old transmitter as auxiliary with power of 1 KW.

1390 Kilocycles

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of construction permit (B4-P-3063) as modified for increase in power, change in hours, move transmitter, new directional antenna for day and night use, requesting extension of completion date from 1-20-42 to 3-20-42.

1400 Kilocycles

WJLD—J. Leslie Doss, Bessemer, Ala.—Modification of construction permit (B3-P-2642) for a new station, requesting change in type of transmitter, approval of antenna and transmitter site and change studio location.

1440 Kilocycles

KPRO—Broadcasting Corporation of America, Riverside, Calif.—Authority to determine operating power by direct method.

1460 Kilocycles

KSO—Broadcasting Corporation of America, Riverside, Calif.—License to cover construction permit (B4-P-2727) as modified, for move of transmitter, new directional antenna for night use and increase in power.

KSO—Broadcasting Corporation of America, Riverside, Calif.—Authority to determine operating power by direct method.

1490 Kilocycles

NEW—Green Mountain Broadcasting Corp., Inc., Brattleboro, Vt.—Construction permit for a new broadcast station to be operated on **1490 kc.,** 250 watts, unlimited hours.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—License to cover construction permit (B3-P-3369) for a new transmitter.

1520 Kilocycles

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Special service authorization to operate from 12 midnight to 4:00 a. m. Amended: to request time from sunset at Buffalo, N. Y., to local sunrise using 1 KW.

1560 Kilocycles

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Extension of special service authorization to operate on **1560 kc.,** 10 KW, unlimited time, non-directional antenna from 2-1-42 to 4-1-44.

FM APPLICATIONS

K59L—Columbia Broadcasting System, Inc., St. Louis, Mo.—Modification of construction permit (B4-PH-102) for a new high frequency broadcast station, requesting change in transmitter site and make changes in antenna system.

NEW—Eugene P. O'Fallon, Inc., Denver, Colo.—Construction permit for a new high frequency broadcast station to be operated on **46500 kc.;** population, 45,797; coverage, 1,403 square miles.

NEW—New Jersey Broadcasting Corp., Newark, N. J.—Construction permit for a new high frequency broadcast station to be operated on **49100 kc.;** population, 11,194,000; coverage, 5,580 square miles. Amended: to change coverage to 6,350 square miles; population to 10,044,000.

TELEVISION APPLICATIONS

NEW—Balaban and Katz Corp., Chicago, Ill.—Construction permit for a new commercial television broadcast station (formerly W9XBK) to be operated on Channel No. 2, **60000-66000 kc.,** ESR: 25.2, Aural: Max. 2 KW; Visual Max. 4 KW.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station (formerly W3XAU) to be operated on Channel No. 5, **84000-90000 kc.,** ESR: 1128, Aural Max. 2 KW, Visual Max. 4 KW.

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Modification of construction permit (B2-PCT-4) for a new television broadcast station, requesting extension of completion date from 1-1-42 to 4-1-42.

MISCELLANEOUS APPLICATIONS

WHHC—Hampden-Hampshire Corp., Portable-Mobile.—License to cover construction permit (B1-PRE-409) for a new relay broadcast station.

NEW—Board of Education, City of Buffalo, Buffalo, N. Y.—Construction permit for a new noncommercial educational broadcast station to be operated on **42900 kc.,** 1 KW, special emission for frequency modulation.

FEDERAL TRADE COMMISSION ACTION

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Samuel Martin, Ltd., 600 Textile Tower, Seattle, Wash., engaged in the sale and distribution of men's clothing and blankets, is charged in a complaint with misrepresentation. (4660)

CEASE AND DESIST ORDERS

The Commission last week made public the following cease and desist orders:

Beho Rubber Co., Inc., and Bernard Holtzman, Mae Murray and Milton M. Holtzman, individually and as officers of Beho Rubber Co., Inc., also trading as The Best Tire House, The Modern Improved Retread Outlet, and The Assured Remolded Tire Distributors, 2427 South Michigan Ave., Chicago, engaged in selling and distributing used tires that have been retreaded or recapped, have been ordered to cease and desist from misrepresentations concerning their products. (3973)

Champion Battery Co. and The Ball Co., Morgan Building, Detroit, engaged in the sale and distribution to retail dealers of so-called sales promotional plans, have been ordered to cease and desist from misrepresentation. (4134)

Kas-Mo Remedy Co., 949 Seventh St., Port Arthur, Tex., has been ordered to cease and desist from certain false and misleading representations concerning the therapeutic value of the medicinal preparation designated "Kas-Mo Salve." (3536)

Magnetic Ray Company and Magnetic Ray Clinic, Dallas, Tex., engaged in the sale and distribution of an electrical device designated "Magnetic Ray," for use in the treatment of various disorders and diseases of the human body, has been ordered to cease and desist from misrepresentations concerning his product. (4163)

Woodfinishing Products Company—An order to cease and desist from practicing commercial bribery in connection with the sale of paints, varnishes, lacquers and other woodfinishing products has been issued against James Ledwith and Morton E. Rosenthal, trading as Woodfinishing Products Co., 34 Industrial St., New York, and their sales manager and representative, J. M. Thomas. The respondents Ledwith and Rosenthal maintain a branch office and manufacturing plant at 572 Waughton St., Winston-Salem, N. C. (4579)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

L. B. Allen Co., Inc., 6719 Bryn Mawr Ave., Chicago, engaged in the manufacture and sale, among other products, of solder for cast-iron aluminum and stainless steel, has stipulated to cease and desist from stamping, embossing or otherwise marking or identifying its solder product with the term "Pat. No. 401482," and from use of the term in any way so as to convey the belief to purchasers that the product is or ever was the subject matter of a patent properly identified by such number or that the corporation is the present owner of a subsisting patent entitling it to the exclusive right or privilege of making, using or selling the product. (3310)

Ashley Automatic Wood Stove Co., Columbia, S. C. engaged in selling a wood burning stove designated "Ashley Automatic Wood Burning Stove," has stipulated to cease and desist from representing that users of his stove will effect an economy in heating costs or will effect an economy in heating costs of any definitely stated amount; that the stove will not cause any smoke or soot; that it is 100 percent automatic or that it burns ashes and when the stove is used there will be no ashes to remove. The respondent also agreed to discontinue representing that the stove will prevent or help rid one of winter colds and kindred ailments; that any equipment furnished with the stove is free when, in fact, the cost thereof is included or reflected in the purchase price of the stove; that the stove has been tested or approved by any qualified and impartial experts when such is not the fact; that the stove will provide the correct temperature at all times or in all parts of the house; or that the stove will adequately heat any definite number of rooms irrespective of conditions as to their size, construction, arrangement and geographical location. (02927)

Ballard & Ballard Co., 912 East Broadway, Louisville, Ky., engaged in the manufacture and sale of food stuffs, including a so-called "Obelisk Self-Rising Flour" for human consumption and a product called "Nutro-Tone" to be used as a supplement to poultry feeds, has stipulated to discontinue representing, in connection with the sale or distribution of "Nutro-Tone"; that it is a food conditioner or regulator; that its use will improve a bird's health any more than any well-balanced food, or that it is a preventive of or cure for the poultry disease known as coccidiosis, or will do more in this respect than to increase resistance of birds to such disease. The corporation also agrees to cease representing that use of "Obelisk Self-Rising Flour" will produce a greater volume or yield of baked products or give more baked products per pound than any other comparable flours used in the same manner. (3308)

Beauty Products, 1625 Court Place, Denver, Colo., engaged in selling a coal tar hair dye product designated "Noreen Super Color Rinse," has stipulated to cease and desist from representing that the product gives life to the hair, eliminates mixing, does not stain the scalp or fingers, contains more or truer color, or is not a hair dye. (02926)

Blair Elevator Corporation, Atchison, Kans., engaged in selling a commercial poultry feed designated "Blair's Round Worm Control Measure," has stipulated to cease representing that the preparation is an effective treatment or control measure for blackhead; that it possesses any value in the treatment, prevention or control of poultry infestations by tapeworms, cecal worms or other parasites, with the exception of large round worms; or that it will be of any value in the prevention or control of diseases that may be caused by tapeworms or other parasites, with the exception of such diseases as may be caused by or attributable to the presence of large round worms. (02925)

Borden Novelty Co., 128 East 28th St., New York, engaged in the manufacture and sale of watch straps and attachments, has stipulated to cease and desist from the use, either with or without contradictory explanation, of the word "glass" or other glass connoting term, either alone or in connection with the words "Velvet Glass" or any other word or words; or in any way as a trade name or designation or as descriptive of Vinylite or similar products so as to convey the belief that such products are glass or contain glass or are fabricated from fibers of glass, that is to say, inorganic silica glass, as the term "glass" is commonly known and accepted by the trade and public. (3319)

Lawrence Richard Bruce, Inc., and Amirol, Inc., both of 375 Fairfield Ave., Stamford, Conn., stipulated that, in connection with the sale of a coal tar hair dye designated "Amirol Color and Oil Shampoo Treatment," they will cease and desist from disseminating any advertisements which fail conspicuously to reveal the following:

> "CAUTION: This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness." (3323)

Casco Products Corporation, also trading as Perfection Products Co., and as Neaco Products Co., Bridgeport, Conn., engaged in the sale and distribution of electrical heating pads, has stipulated to cease and desist from use of the words "Three Heats," "Low . . . Medium . . . High" or "Three Heat Switch" as descriptive of electrical heating pads, or the switches used therewith, not equipped or provided with adequate thermostatic or other heat controls calibrated for three different, distinct temperatures or degrees of heat; and from use of the words, phrases or initials "Three Heats," "Low . . . Medium . . . High," "Three Heat Switch" or "L," "M" and "H," or other words, phrases, initials or symbols of similar implication so as to convey the belief that the heating pads are capable of maintaining. (3318)

Dakota Sash & Door Co., Aberdeen, S. Dak., engaged in the distribution and sale of barn doors, the sash of which is equipped with panes of glass, have stipulated to discontinue use of the word "plate," either alone or in connection with other words, on the labels affixed to the panes of glass forming part of the doors, and from use of the word "plate" in any way which may tend to convey the belief to purchasers that the glass used in the construction of such doors is that known as "plate glass," when in fact it is not of that type; and from use of the words "Manufactured by" or of other words of similar meaning, so as to imply that the glass with which the sash of the doors is equipped is made by the copartners, or that they actually own, operate or control the plant or factory in which such glass is manufactured. (3314)

Duo-Tint Bulb and Battery Co., 4431 North Racine Ave., Chicago, engaged in the sale and distribution of light bulbs called "Duo-Tint" for use in flashlights, radio panels and for similar purposes, has stipulated to cease and desist from use on the containers of its products or in any way of the words "Made in U. S. A." or other words of similar implication tending to confuse or mislead purchasers with respect to the identity of the country of origin of its products. The corporation further agreed to cease and desist from use of the word "Manufacturers" as descriptive of the business in which it is engaged, and from use of the word in any way so as to convey the belief that it makes or manufactures the products which it sells or that it actually owns or operates or controls a plant or factory in which the products are made or manufactured. (3322)

M. L. Fernandex & Bro., Tampa, Fla., engaged in the manufacture and sale of cigars, have stipulated to cease and desist from use on labels affixed to cigar containers or otherwise of the term "Exposicion de Paris," either alone or in connection with the numerals "1870," or the pictorial or other representation of medals or other insignia so as to convey the belief that the products sold by them have received an award from any Paris Exposition or other comparable institution, or that the medals were awarded in connection with the exhibition of their products at an Exposition or on any other occasion where such awards are customarily made, when such are not the facts. (3311)

M. Fidler & Son, 20 West 30th St., New York, engaged in the sale and distribution of upholstery fabrics, have stipulated to cease and desist from use of the word "manufacture" or any word or words of similar implication so as to convey the belief that they make or manufacture the products sold by them or that they actually own and operate or control a plant or factory in which such products are made or manufactured. (3313)

Wm. Freihofer Baking Company, and Freihofer Baking Company, Philadelphia, manufacturers and distributors of bread designated "Freihofer's Hollywood Health Bread," have stipulated to cease and desist from certain representations concerning their product. The respondents agree, in connection with the sale and distribution of "Hollywood Bread" or any bread of substantially similar composition, to discontinue representing that the bread contains neither fats of any character nor any variety of sugar as an ingredient; that the bread product, due to its vegetable oils content and alleged lack of sugar, is not fattening or that its use as a food will cause the user to stay slim or slender or to keep well; that the product is substantially, if any, less fattening than any other bread products because it does not contain fats or sugar of the kinds allegedly used in other bread products; that the caloric food values of the bread are substantially, if any, less than those of any other bread products which contain sugar and animal fats; or that the bread has been endorsed or sponsored by leading physicians or dietitians for reducing diets. (3320)

H. V. Laboratories, Inc., 208 North 22nd St., St. Louis, Mo., engaged in selling a medicinal preparation designated "H. V. 222," has stipulated to cease representing that it is a remedy or cure for skin eruptions or skin irritations, skin rash or eczema, or has any value in the treatment of such conditions beyond the relief of the itching associated with them; that it is a cure for or will prevent athlete's foot, will penetrate or kill such of the fungi of athlete's foot as may develop beneath the corneous layer of the unbroken skin, or that in the treatment of athlete's foot it has any beneficial effect upon the tissues deeper than those supplied by the peripheral vascular system beneath an unbroken skin; that it will remove the blisters manifesting the condition known as athlete's foot; that, diluted or undiluted, it kills the germ infection or fungi of athlete's foot in 30 seconds, or in any other definitely stated period of time. The respondent also agrees to cease representing that "H. V. 222" is a panacea, or that its use prevents or stops bleeding or causes coagulation. (02924)

Hollywood Services, Inc., Chicago, now trading as National Bakers Service, Inc., engaged in selling a product called "Hollywood Mix" to Wm. Freihofer Baking Company and Freihofer Baking Company and to bakers licensed by the corporation to use the product as an ingredient in the making of so-called "Hollywood Health Bread" or "Hollywood Bread," has stipulated to discontinue representing, through newspaper advertisements, radio announcements, and other advertising literature, that the bread product contains neither fats of any character nor any variety of sugar as an ingredient; that the bread product, due to its vegetable oils content and alleged lack of sugar, is not fattening or that the use of the product as a food will cause the consumer to stay slim or slender or to keep well; that the product is substantially, if any, less fattening than any other bread products because it does not contain fats or sugar of the kinds allegedly used in such other bread products; that the caloric food values of the bread are substantially, if any, less than those of other bread products which contain sugar and animal fats; that the product has been endorsed or sponsored by leading physicians and dietitians for reducing diets; and that the corporation has a place of business at Hollywood, Calif., or that the bread product is sold at such place, or that it is used as a diet by Hollywood actresses generally. (3321)

"Keneco Health Products," Elmira, N. Y., engaged in the sale and distribution of a preparation in tablet form called "Slendotabs," have stipulated to cease representing that use of the tablets is an easy or dependable or sensible, correctively balanced weight-reducing method, or that it is one that will attractively or otherwise effectively slenderize the user's figure or that doctors would approve as a competent and safe means of producing permanent weight reduction. (3309)

Knipe Brothers, Inc., shoe manufacturer of Ward Hill, Mass., has stipulated to cease and desist from use of the word "Doctor" or the abbreviation "Dr.," or any simulation thereof either alone or in connection with a name or with other words, as a trade name for the shoes it sells, so as to imply, or the effect of which may lead purchasers to believe, that the shoes so designated are made in accordance with the design or under the supervision of a physician and contain special scientific or orthopedic features which are the result of medical determination or services. (3315)

Mills Dress & Work Clothes Co., 500 Ninth St., N. W., Washington, D. C., engaged in the sale of clothing and other merchandise, has stipulated that she will cease and desist from representing, directly or inferentially, that she manufactures uniforms or other commodities or that the business conducted by her is "A Division of MILLS UNIFORMS" or a division or branch of any firm or business. (3317)

Northrup, King & Co., 1500 Jackson St., N. E., Minneapolis, stipulated to cease and desist from certain representations in connection with the sale of poultry feeds designated "Sterling Growing Ration" and "Sterling Chick Ration." (3324)

Dr. David Roberts Veterinary Co., Inc., and David Roberts, a practicing veterinarian, its president, Waukesha, Wis., engaged in the compounding and sale of numerous medicinal preparations for treatments of diseases in domestic animals, have entered into a stipulation in which they agree to cease and desist from representing that their product "Herd-Tonik" is a competent treatment to build up breeding vitality, prevent loss of calves, or remedy failure to breed, or that it is efficacious in preventing or overcoming herd infection in cattle; that "Absorbent" is a competent treatment or remedy for goiters, enlarged glands or growths, deep seated wounds, fistula or lump jaw; that "Badger Balm" is an effective remedy for cow pox; that "Cow Tonic" is an effective remedy for shortage of milk and all kinds of udder trouble; that "Freshening Prescription" is a tonic for afterbirth ailments; that "Calf Medicine" is of benefit in the treatment of looseness of the bowels other than that due to irregular feeding; that by use of any designation such as "Laxotonic," the medicine so referred to is both laxative and tonic in action or is an effective remedy for constipation or paralysis of the bowels generally; that "Uterine Capsules" is an effective treatment for slow breeding cows; that "Udderine" is an effective remedy in cases of garget or swollen udders; or that "Udder Balm" is an effective remedy for inflamed udder, garget or mammitis. (3312)

Sertner's Thrift Fur Shop, Joseph Sertner, 28 West 46th St., New York, entered into a stipulation to cease and desist from any representations which imply or convey the belief to the purchasing public that any of the second-hand fur garments he sells, or any appreciable percentage of them, were obtained or purchased from estate sales or society women, or otherwise misrepresenting the true source of such garments. (3325)

Westerman Manufacturing Co., 136 West 21st St., New York, engaged in the manufacture of watch straps, has entered into a stipulation to cease and desist from using in advertising matter or invoices or otherwise, either with or without contradictory explanation, the word "glass" or the syllable "glas," or any other glass connoting term, to designate or describe a watch strap which is not composed of glass; and to discontinue use of such term or syllable or any other word or syllable of similar import, as part of a trade name or designation such as "Expando-Glass" for, or as descriptive of, Vinylite or similar products, so as to imply that the products so designated are glass or contain glass or are fabricated from fibers of glass. (3316)

NAB Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 2, January 9, 1942

CODE COMMITTEE

The Code Compliance Committee met yesterday in an all day session in Washington. Principal topic on the agenda was news commentators which was discussed at length with particular reference to suggestions from the National Council on Freedom from Censorship for relaxing code provisions now governing them. It was the sense of the committee that these provisions should stand. The committee recommended that stations continue to give time to labor whenever the public interest warrants, and pointed out that time can be sold to labor unions so long as controversial issues are not discussed on paid time. Broadcasting "race-by-race" horse race results by radio was considered; it was the sense of the committee that it was bad radio. A communication from the Radio Council on Children's Programs, signed by Dorothy Lewis, was discussed at length, and the letter referred to the Board of Directors.

Present were: Earl J. Glade, KSL, Chairman; Edgar L. Bill, WMBD; Gilson Gray, CBS; Hugh A. L. Halff, WOAI; Henry P. Johnston, WSGN; Janet Mac Rorie, NBC; Edney Ridge, WBIG; Calvin J. Smith, KFAC, and Russell Place, NAB, Secretary. Also in attendance were Neville Miller, Ed Kirby, Joe Miller and Frank Pellegrin from NAB.

DAYLIGHT-SAVING TIME

On Wednesday the House Committee on Interstate and Foreign Commerce reported out a bill (H. R. 6314) providing for one hour of nationwide daylight-saving time. This is one of two bills introduced by Chairman Lea (D.-Calif.) on Tuesday afternoon; the other, similar to the Wheeler Bill introduced in the Senate on December 30 (S. 2160, see NAB REPORTS, p. 2), would give the President power from time to time to advance or retard the standard time of each zone, or any part thereof, up to two hours. Under both bills DST would go out six months after the war is over.

On Tuesday, the Senate Committee on Interstate Commerce, without hearing, reported out the Wheeler Bill. Senator Taft blocked consideration on the floor of the Senate Wednesday. It was reported that Chairman Lea would seek consideration of H. R. 6314 by the House this week.

The Lea Bill (H. R. 6314), providing as it does for uniform, nationwide DST, is the kind of a bill NAB argued for at the hearings because it would insure certainty in scheduling programs; it has the support of the Association of American Railroads for the same reason.

H. R. 6314

The Lea Bill: A Bill to promote the national security and defense by establishing daylight-saving time.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning at 2 o'clock antemeridian of the twentieth day after the date of enactment of this Act, the standard time of each zone established pursuant to the Act entitled "An Act to save daylight and to provide standard time for the United States," approved March 19, 1918, as amended, shall be advanced one hour.

SEC. 2. This Act shall cease to be in effect six months after the termination of the present war or at such earlier date as the Congress shall by concurrent resolution designate, and at 2 o'clock antemeridian of the last Sunday in the calendar month following the calendar month during which this Act ceases to be in effect the standard time of each zone shall be returned to the mean astronomical time of the degree of longitude governing the standard time for such zone as provided in such Act of March 19, 1918, as amended.

TRANSCRIPTION CLEARANCE

Stations which are offered a commercially transcribed program which contains music which they are not licensed to play, should bear in mind the provisions of the Consent Decree, signed by ASCAP and BMI, requiring the clearance of all commercial transcriptions at the source, if the station or transcription company so elect. This means that you can accept all of such transcription programs containing ASCAP music, for instance, at a cost no greater to you than if you had an ASCAP "per program" license. Stations that have any difficulty in obtaining the benefits of the Consent Decree in this respect should communicate with the NAB.

SUBCOMMITTEE DISSOLVED

Chairman Clark (D.-Idaho) of the Senate subcommittee which began a preliminary investigation of charges of motion picture and radio propaganda, announced dissolution of the subcommittee.

He said that in the interest of war-time unity, a detailed report on controversial matters covered by the inquiry was not desirable.

NATIONAL ANTHEM ETIQUETTE

A station asks what is the proper etiquette for radio listeners when The Star-Spangled Banner is played.

Captain D'Arcy of the Army Band says any public assemblage of listeners should rise, but in the privacy of the home rising is not obligatory.

Even in the home, all conversation, by custom, ceases during the playing.

Sales

Sales Managers Executive Committee Meets

The NAB Sales Managers Executive Committee will meet at the Roosevelt Hotel, New York, January 13 and 14, and will also participate in a meeting of the Radio Executives Club of New York and the NRDGA annual convention that week.

A committee of agency time buyers and national sales representatives will be invited to participate in the committee meetings. On the committee are Chairman Eugene Carr, WGAR, Cleveland; John Outler, WSB, Atlanta, representing large stations; E. Y. Flanigan, WSPD, Toledo, medium stations; Dietrich Dirks, KTRI, Sioux City, Ia., small stations; George Frey, Red network sales,

(Continued on page 10)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

SALES

(Continued from page 9)

New York, representing NBC; Arthur Hull Hayes, WABC, New York, representing CBS, and Linus Travers, WAAB, Boston, representing Mutual-affiliated stations. From the NAB staff will be C. E. Arney, Jr., assistant to the president, and Frank E. Pellegrin, director of the department of broadcast advertising.

Deitrich Dirks Appointed to Committee

Dietrich "Dee" Dirks, a radio veteran and general manager of KRTI, independent outlet at Sioux City, Ia., has been appointed by Neville Miller to the Sales Managers Executive Committee as the local-station representative, succeeding Bob MacKenzie, formerly of WCMI, Ashland, Ky., who resigned his post with that station.

Dept. Store Execs to Hear About Radio

A full half-day session before the Sales Promotion section of the National Retail Dry Goods Association at its huge annual convention in New York has been awarded the NAB and its Sales Managers Division.

The radio presentation will be made Wednesday morning, January 14.

Every station is urged immediately to contact the executives and advertising managers of all its local department stores, and ask them particularly to attend this session. If your local executives have already left for New York, it is suggested that you get their hotel address from their secretaries, and send them a reminder by telegram or special delivery letter. A full attendance at that session by these executives should do much to make your local sales efforts more successful.

Because the NRDGA convention theme is based on wartime merchandising problems now faced by department stores, the radio session is billed as "Wartime Merchandising by Radio." The program will open with a general discussion on that subject, illustrated by charts, displays and case histories, by Frank E. Pellegrin. Following will be a presentation on "Filene's Discovers the Power of Radio," featuring Brooks Shumaker, general manager of Wm. Filene's Sons Co., Worcester, Mass., aided by E. E. Hill, general manager of WTAG, and George Jaspert, commercial manager.

An open question-and-answer session will follow, with the radio panel consisting of the members of the NAB Sales Managers Executive Committee.

Mile O'Dimes Campaign

Cooperation of member stations is requested for the Mile O'Dimes Campaign in conjunction with the Infantile Paralysis drive.

Leaders in radio and in advertising agencies are all unselfishly giving their services in directing the campaign, and all proceeds will be turned over to the National Committee for the Celebration of the President's Birthday.

FTC Report on Advertising

A continued warning to radio stations to maintain close watch over the content of commercials was implied in the 164-page annual report of the Federal Trade Commission to Congress, released January 9, covering the fiscal year ended June 30, 1941. Activities of the Radio and Periodical Division, governing false and misleading advertising, are summarized from the report:

> The Commission maintains its Radio and Periodical Division to provide a direct and expeditious handling of certain cases involving false and misleading advertising, violative of the provisions of the Federal Trade Commission Act.
>
> In this phase of the Commission activity, its only objective is to prevent false and misleading advertisements. It does not undertake to dictate what an advertiser shall say, but merely indicates what he may not say under the law.
>
> The Commission believes that its work in this field contributes substantially to the improvement that has been evident in recent years in the character of all advertising.
>
> *Newspaper and magazine advertising.* It has been found advisable to call for some newspapers and magazines on a continuous basis, due to the persistently questionable character of the advertisements published . . . 377,764 advertisements were examined of which 25,022 were noted as containing representations that appeared to be false or misleading. (6.6%)
>
> *Almanac advertising.* The Commission examines almanacs of wide distribution which are used as advertising media for distributors of drugs, devices, and other commodities sold for the treatment of various ailments. This survey covered the examination of 1,414 advertisements, resulting in 289 being set aside as warranting further investigation. (20.4%)
>
> *Mail-order advertising.* Catalogs and circulars containing an aggregate of 20,238 pages, distributed periodically and seasonably by mail-order companies . . . 467 advertisements were marked as containing possibly false and misleading representations. A wide variety of commodities (including food, drugs, devices, and cosmetics) is included in this questioned advertising. (2.3%)
>
> *Radio advertising.* The Commission, in its systematic review of radio advertising, issues calls to individual radio stations, generally at the rate of 4 times yearly for each station. However, the frequency of calls to such individual broadcasters is varied from time to time, dependent principally upon transmittal power, the service radius or area of specific stations, and the advertising record of certain types of stations, as disclosed in analyses of previous advertising reviews.
>
> National and regional networks respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more stations.
>
> Producers of electrical transcription recordings submit monthly typed copies of the commercial portions of all recordings produced by them for radio broadcast. This material is supplemented by periodic reports from individual stations listing the programs of recorded commercial transcriptions and other data.
>
> During the fiscal year ended June 30, 1941, the Commission received 857,890 copies of commercial radio broadcasting continuities, amounting to 1,737,181 pages of typewritten script. These comprised 1,197,199 pages of individual station script, 529,820 pages of network script, and 10,162 pages of commercial recorded script.
>
> The staff examined 871,909 commercial radio broadcast continuities, amounting to 1,749,557 pages of typewritten script. These comprised 519,640 pages of network script, 1,219,950 pages of individual station script, and 9,967 pages of script representing the built-in commercial portions of transcription recording productions destined for radio broadcast, through distribution of multiple pressings of such recordings to individual stations. An average of 5,755 pages of radio script were read each working day. From this material 24,535 commercial broadcasts were marked for further study as containing representations that might be false or misleading. (2.8%)
>
> *Cooperation of radio and publishing industries.* In general, the Commission has received the helpful cooperation of the 3 nationwide network chains, 13 active regional networks, and transcription producers engaged in preparing commercial radio recordings, in addition to that of some 781 active commercial radio stations, 491 newspaper publishers, and 533 publishers of magazines, farm journals, and trade publications, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false and misleading advertising.
>
> *Analysis of questioned advertising.* An analysis of the questioned advertisements which were assembled by cases and given legal review, discloses that they pertained to 2,839 commodities in the proportions indicated below:

Classification of Products

Food, drugs, devices, and cosmetics:		
Food (human)	12.7	
Food (animal)	3.6	
Drugs	33.0	
Cosmetics	13.5	
Devices	2.5	
		65.3
Other products:		
Specialty and novelty goods	10.2	
Automobile, radio, refrigerator, and other equipment	3.7	
Home study courses	1.9	
Tobacco products	1.2	
Gasoline and lubricants	.9	
Poultry and livestock supplies and equipment, including hatchery products, etc.	1.1	
Miscellaneous, including apparel, coal and oil fuels, house furnishings and kitchen supplies, specialty building materials, etc.	15.7	
		34.7
Total		100.0

In the item of drug preparations listed above, a substantial proportion of the related advertising contained possible misrepresentations or representations which encompassed possibly injurious results to the public and for that reason were given preferred attention.

Per-Inquiry and Free Time

H. W. Nichols Salesbook Co., Cincinnati, is seeking per-inquiry deals on behalf of its booklet "Income Tax Made EZ."

Gardner-Shea Publishing Co., Oklahoma City, is doing likewise for another income tax booklet.

Henry Flarsheim and Staff, Boston, an advertising agency, stating it has some direct selling and mail order clients, is asking for per-inquiry deals or "any other similar proposition."

The **Cooperative League of the U. S. A.** is seeking free time for a transcription of a "Rochdale Day" broadcast, originated in England, in the interests of cooperatives.

Who Magazine, New York, is offering free scripts, containing credits, of course.

It becomes increasingly apparent that many free-time requests are being sent to the conductors of home economics programs, and it is suggested that you confer with those responsible for these programs at your station and have all such matter cleared through the sales department, which can quickly detect material that should be paid for. Among such attempts recently reported are: **W. E. Featherstone Advertising Agency**, Salt Lake City, for J'edwins Color Code; **Pan American Trust Co.**, New York, for Rio No. 7 Coffee; **Landers, Frary & Clark** agency of New Britain, Conn.; **Cranberry Canners, Inc.**, South Hanson, Mass., for The Cranberry Kitchen; **National Biscuit Co.**, New York, for Nabisco products; **Nestle's Chocolate Test Kitchen**, New York, for Nestle's chocolate.

NEW STUDY COURSE

Clubs or schools wishing to study radio from the listeners viewpoint might well be referred to "A Course of Study in Radio Appreciation" by Alice P. Sterner (Educational and Recreational Guides, Inc., 1501 Broadway, N. Y. C., $1).

FTC LAW AND PRACTICE

Stations and agencies may be interested in "Federal Trade Commission Law and Practice" by Henry Ward Beer (Callaghan and Co., 401 E. Ohio St., Chicago, $12). There is an especially interesting section on false, fraudulent and misleading advertising.

FTC REPORT

The Federal Trade Commission in its systematic review of radio advertising, issues calls to individual radio stations, generally at the rate of four times yearly for each station, the Commission explains in its annual report just made public.

The Commission, in its report, explains its radio advertising by stating that the frequency of calls to such individual broadcasters is varied from time to time, dependent principally upon transmittal power, the service radius or area of specific stations, and the advertising record of certain types of stations, as disclosed in analyses of previous advertising reviews.

National and regional networks respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more stations.

Producers of electrical transcription recordings submit monthly typed copies of the commercial portions of all recordings produced by them for radio broadcast. This material is supplemented by periodic reports from individual stations listing the programs of recorded commercial transcriptions and other data.

During the fiscal year ended June 30, 1941, the Commission received 857,890 copies of commercial radio broadcast continuities, amounting to 1,737,181 pages of typewritten script. These comprised 1,197,199 pages of individual station script, 529,820 pages of network script, and 10,162 pages of commercial recorded script.

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Cooperation of radio and publishing industries.—In general, the Commission has received the helpful cooperation of the 3 Nationwide network chains, 13 active regional networks, and transcription producers engaged in preparing commercial radio recordings, in addition to that of some 781 active commercial radio stations, 491 newspaper publishers, and 533 publishers of magazines, farm journals, and trade publications, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false and misleading advertising.

Source of radio and periodical cases.—Examination of current newspaper, magazine, radio, and direct mail-order house advertising, in the manner described, has provided the basis for 75.4 percent of the cases arising from radio broadcasts and published advertisements, initiated through the Radio and Periodical Division during the fiscal year ended June 30, 1941. Information received from other sources, including information from other divisions of the Commission, and from other Government agencies, formed the basis of the remainder of the division's work.

In directing its attention to the principal sources and areas of questionable advertising campaigns, the Commission has been guided by special analyses made from time to time, which disclose the origin of questioned newspaper and radio advertising proportionately as to population centers.

Analysis of questioned advertising.—An analysis of the questioned advertisements which were assembled by cases and given legal review, discloses that they pertained to 2,839 commodities in the proportions indicated below:

CLASSIFICATION OF PRODUCTS

Commodity	*Percent*	
Food, drugs, devices, and cosmetics:		
Food (human)	12.7	
Food (animal)	3.6	
Drugs	33.0	
Cosmetics	13.5	
Devices	2.5	
		65.3
Other products:		
Specialty and novelty goods	10.2	
Automobile, radio, refrigerator, and other equipment	3.7	
Home study courses	1.9	
Tobacco products	1.2	
Gasoline and lubricants	.9	
Poultry and livestock supplies and equipment, including hatchery products, etc.	1.1	
Miscellaneous, including apparel, coal and oil fuels, house furnishings and kitchen supplies, specialty building materials, etc.	15.7	
		34.7
Total		100.0

In the item of drug preparations listed above, a substantial proportion of the related advertising contained possible misrepresentations or representations which encompassed possibly injurious results to the public and for that reason were given preferred attention.

Number of cases handled.—During the fiscal year the Commission sent questionnaires to advertisers in 374 cases and to advertising agencies in 19 cases, and accepted 234 stipulations pertaining to radio and periodical advertising. Of these, 19 stipulations (8 relating to drugs and 11 to hair dyes) contained agreements to publish appropriate warnings in advertisements as to the potential harm that might result from the use of the products in question.

A total of 605 cases were disposed of by the various methods of procedure. Of this number 222 cases were considered settled upon receipt of reports showing compliance with previously negotiated stipulations. The remaining 383 were closed without prejudice to the right of the Commission to reopen if warranted by the facts: 221 of them for lack of jurisdiction or lack of evidence sufficient to establish a violation of law, 143 because of discontinued business and practices, or insufficient public interest, 12 because of fraud orders issued by the Post Office Department against the advertisers, and 7 because the Post Office Department had accepted from the parties concerned affidavits of discontinuance of business.

In addition, the Commission in 23 cases ordered issuance of complaint: in 11 instances where advertisers failed to stipulate; in 5 cases in which the advertiser was not given the opportunity to stipulate because of gross deception, and in 7 involving violation of the terms of existing stipulations previously accepted and approved. In 27 cases field investigations were ordered, including 5 wherein it appeared that application for injunction or criminal proceedings might be warranted. Also, 3 cases were referred to other governmental agencies as concerning matters more appropriately coming within their jurisdiction.

Nine hundred seventy-nine radio and periodical cases were pending on July 1, 1940, and 779 were pending on June 30, 1941.

Commission has access to scientific services.—In addition to receiving scientific advice from its Medical Advisory Division the Commission receives effective cooperation from other agencies of the Government. It has access to the laboratories, libraries, and other facilities of Federal Government agencies, including the National Bureau of Standards, United States Public Health Service, the Food and Drug Administration, and the Bureau of Home Economics and Bureau of Animal Industry of the Department of Agriculture, to any of which it may refer a matter for scientific opinion.

When necessary, the Commission obtains medical and other scientific information and opinions from nongovernmental hospitals, clinics, and laboratories. Such material and cooperation are often particularly helpful in enabling the Commission to reach sound and fair conclusions with respect to scientific and technical questions which come before it.

Procedure in advertising cases.—If it appears that a published or broadcast advertisement coming to the Commission's attention may be misleading, a questionnaire is sent to the advertiser, and request is made for a sample of the product advertised, if this is practicable, and the quantitative formula, if the product is a compound. Copies of all advertisements published or commercial continuities broadcast during a specific period are also requested, together with copies of all booklets, folders, circulars, form letters, and other advertising literature used.

Upon receipt of these data, the sample and formula are referred to the Commission's Medical Advisory Division or to an appropriate technical agency of the Government for a scientific opinion. Upon receipt of the opinion, a list of such claims as then appear to be false or misleading is sent to the advertiser, along with pertinent portions of the opinion. The advertiser is extended the privilege of submitting evidence in support of his claims; he may answer by letter or, upon his request, may confer with the Commission's Radio and Periodical Division in person or through counsel.

If, after a consideration of all available evidence at hand including that furnished by the advertiser, the questioned claims appear to be true, the division reports the matter to the Commission with the recommendation that the case be closed.

If it appears from the weight of the evidence before it that the advertising is false or misleading, the division refers the matter to the Commission with recommendation either that complaint issue or the case be returned to the division for negotiation of a stipulation, provided it is one appropriate for stipulation procedure and the advertiser desires to dispose of it by such voluntary agreement to cease and desist from the use of the acts and practices involved.

If the Commission so authorizes, the division prepares a stipulation and forwards it to the advertiser for execution. Should he object to any of its provisions, he may discuss them by mail or in person. If and when he agrees upon the terms of the stipulation and signs and returns it, the matter is again reported to the Commission with recommendation that the stipulation be accepted and the case closed without prejudice to the right of the Commission to reopen the matter at any time the facts so warrant. If the Commission accepts and approves the stipulation, the advertiser is required to submit within 60 days from the date of acceptance a report in writing showing the manner and form in which he has complied and is complying with the provisions of his agreement.

FEDERAL LEGISLATION

HOUSE

H. R. 6314 (Lea, D-Calif.) DAYLIGHT SAVING TIME—To promote the national security and defense by establishing daylight-saving time. Referred to Committee on Interstate and Foreign Commerce.

FEDERAL COMMUNICATIONS COMMISSION

In answer to a direct question at his press conference on Monday, FCC Chairman, James Lawrence Fly, said that he does not see any chance of the FCC being moved out of Washington at this time.

"No substantial attention has been given to the possibility (of moving out of Washington)," Mr. Fly said, "because our defense work is becoming more extensive and intensive and we have moment to moment close liaison with the other war and defense agencies. While I am not forming judgment I would be very much surprised if serious question was given and I have heard none raised."

The Chairman said at the conference that conferences are being held every day with OPM on priorities matters. He said that these conferences deal mostly at this time with communications equipment.

Mr. Fly said that "the FCC monitoring work, to say the least, is becoming more and more important, more burdensome in terms of operation and more important in terms of the significance of the work than ever before."

PRESS-RADIO HEARING POSTPONED TO JANUARY 21

At the request of the Newspaper-Radio Committee, the FCC has announced postponement from January 8 to January 21 of further hearing in its investigation, pursuant to Order No. 79, to determine what policy or rules, if any, should be promulgated in connection with operation of new FM broadcast stations and future acquisition of standard broadcast stations by newspapers.

In doing so, however, the Commission reiterated its determination to expedite completion of this hearing and will, accordingly, devote three days a week to it instead of the two days a week as heretofore.

LICENSE GRANTED STATION WARM, SCRANTON, PA.

The FCC has granted a license to the Union Broadcasting Co. for Station WARM at Scranton, Pa., now operating on 1400 kilocycles with 250 watts power, unlimited time, under a construction permit. The Commission also granted motion by the Anthracite Broadcasting Co., also of Scranton, for dismissal of the latter's application for like facilities, but did so "with prejudice." At the beginning of the consolidated hearing (B-142), a similar application by George Grant Brooks, Jr., of Scranton was withdrawn.

FROM THE FCC MAIL BAG

An Oklahoma radio listener complains of guest movie stars who are "supposed to entertain their air audiences but merely advertise their own pictures." A Mississippi fan suggests that broadcasting "soap" dramas be discontinued "in an effort to uplift the public morale."

While the FCC acknowledges expression of these views, it suggests that such comments be directed to the station or network over whose facilities the particular programs are transmitted. It reminds the writers that the broadcasters themselves have the initial responsibility for the selection of program material.

Licensees of standard broadcast stations are not required to file information regarding accidents to employees, an Ohio inquirer is informed. An Illinois individual is reminded that all transfers of broadcast station stock must be reported to the Commission within 30 days, even if no actual transfer of control is involved.

A North Carolina radio station is told that the Commission has no say in deferment from military service of licensed radio engineers. It explains that the Selective Service Act prohibits group deferments as such, and that the granting of occupational deferments in individual cases is at the discretion of local draft boards.

A Minneapolis resident who asks about relation of municipal ordinances to antenna installation is informed:

"There is no provision in the Communications Act of 1934 expressly providing that the licensing provisions of the Act render invalid or ineffective municipal zoning regulations, but consideration might be given the question of whether by virtue of the Act, the Federal Communications Commission has occupied the field of regulation of radio, rendering ineffective municipal ordinances which are in conflict with its regulation. In considering this question, your attention is directed to Title III of the Act, containing provisions relating to radio, and specifically to Section 319 thereof, which requires that a permit be obtained from the Commission for the construction of radio stations. . . . Attention is also directed to Section 303 which vests general regulatory powers over radio communication in the Commission and which empowers the Commission to regulate radio apparatus 'with respect to its external effects and the purity and sharpness of emissions from each station and from the apparatus therein.'

"Section 2.81 of the Commission's Rules and Regulations provides as follows: 'The licensee of a radio station, the transmitter of which is authorized at a fixed location, shall not make any changes, without the express authority of the Commission, either in the height or the location of the antenna or its supporting structures, except, in case of other than broadcast station when the existing or proposed antenna or structure has a maximum height not in excess of 100 feet above the ground, changes in height or local changes in location may be made without specific authorization. In no case shall any change in the height or the location of the antenna or its supporting structures be made without authority when located or proposed to be located within five miles of an airport recognized by the Civil Aeronautics Authority or within five miles of the center line of an established federal airway'."

Having received a number of complaints of interference to radio reception in south Texas by the operation of certain electric signs, the Commission has requested the cooperation of the manufacturer of these signs to remedy the situation. It points out that radiation effects are experienced not only in the broadcast bands but also in the frequency bands used by aviation and police services.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

FUTURE HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 12. They are subject to change.

Monday, January 12

Further Consolidated Hearing

NEW—Utica Observer-Dispatch, Inc., Utica, New York.—C. P., **1450 kc.,** 250 watt, unlimited time.

NEW—Utica Broadcasting Co., Inc., Utica, New York.—C. P., **1450 kc.,** 250 watt, unlimited time.

NEW—Midstate Radio Corporation, Utica, New York.—C. P., **1470 kc.,** 1 KW, unlimited time. DA-day & night.

Wednesday, January 14

KALB—Alexandria Broadcasting Co., Inc., Alexandria, Louisiana. —C. P., **580 kc.,** 1 KW DA-night, unlimited.

Friday, January 16

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., **950 kc.,** 1 KW, DA-night, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WROL—Stuart Broadcasting Corp. (Assignor), S. E. Adcock, d/b as Stuart Broadcasting Co. (Assignee), Knoxville, Tenn.—Granted consent to voluntary assignment of license (B3-AL-323) of station WROL from Stuart Broadcasting Corp. to S. E. Adcock, d/b as Stuart Broadcasting Company.

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted construction permit (B3-P-3355) to install a new transmitter and directional antenna for night use, increase power from 250 watts unlimited time to 10 KW, change frequency from **1400** to **710 kc.** and move transmitter locally; antenna site and design and proof of performance subject to approval by Chief Engineer.

KIRO—Queen City Broadcasting Co., Seattle, Wash.—Granted modification (B5-ML-1091) of license to make changes in antenna system for non-directional operation daytime on frequency **710 kc.**

WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Granted modification of license (B2-ML-1090) to increase night power from 100 to 250 watts; now has 250 watts day, unlimited time on **1240 kc.**

WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted construction permit (B3-P-3259) to install a new transmitter, directional antenna for night use, increase power from 250 watts to 1 KW night, 5 KW-LS, DA-N, change frequency from **1400** to **1290 kc.,** and move transmitter locally, conditional to installing and maintaining adequate field intensity monitoring facilities.

WSYB—Philip Weiss, tr. as Philip Weiss Music Co., Rutland, Vt. —Granted modification (B1-MP-1438) of construction permit (B1-P-3090) to make changes in directional antenna system, subject to proof of performance measurements.

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Granted modification of license (B2-ML-1095) to increase power from 100 to 250 watts day and night.

Gordon Gray, Winston-Salem, N. C.—Granted construction permit (B3-PST-6) for a new ST (studio-transmitter link) broadcast station to be used in connection with high frequency (FM) broadcast station W41MM, Clingman's Peak, N. C., to operate on **337000 kc.,** 25 watts, special emission for frequency modulation. Granted on experimental basis only.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala. —Granted construction permit (B3-P-3264) to increase power from 500 watts night, 1 KW-LS to 5 KW, install a new transmitter and directional antenna for night use, and move transmitter locally, subject to installing permanent monitoring facilities.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted construction permit (B4-P-2717) to install a directional antenna for night use, increase night power from 1 to 5 KW, and make change in vertical antenna for day use, subject to proof of performance. Now operates on **1470 kc.,** 5 KW-LS.

KYOS—Merced Broadcasting Co., Merced, Cal.—Granted construction permit (B5-P-2545) to change frequency from **1080** to **1490 kc.**, increase hours of operation from daytime to unlimited, and make changes in transmitting equipment.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted extension of special service authorization (B2-SSA-19) to operate on frequency **1170 kc.**, using 5 KW, unlimited time, for a period not to exceed 1 year pending completion of construction.

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted extension of special service authorization to operate on **1190 kc.**, using 10 KW unlimited time, for a period not to exceed 1 year.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted extension of special service authorization (B3-SSA-21) to operate on **1170 kc.**, using 25 KW night, 50 KW-LS, DA-N, unlimited time, for the period ending April 5, 1942 (Expiration date of construction permit).

Gordon Gray, Winston-Salem, N. C.—Granted construction permit (B3-PRE-411) for new station to operate on **156750, 158500, 159300** and **161100 kc.**, special emission for frequency modulation, 50 watts, using directional antenna to transmit programs from studio to transmitter of FM Broadcast Station W41MM in event of failure or unsatisfactory operation of applicant's ST station.

Allen B. DuMont Laboratories, Inc., New York, N. Y.—Granted construction permit (B1-PCT-6) for new station to operate on **78000-84000 kc.** (Channel No. 4) with an ESR of 950, A5 emission and special emission for frequency modulation, unlimited time, completion date 90 days.

DESIGNATED FOR HEARING

Mosby's Incorporated, Anaconda, Mont.—Designed for hearing application for construction permit for new station (B5-P-2694) amended so as to request operation on **1230 kc.**, 250 watts, unlimited time.

Donald Flamm, New York, N. Y.—Designated for hearing application for construction permit (B1-P-3400) for new station to operate on **620 kc.**, 5 KW, unlimited, directional antenna day and night.

MISCELLANEOUS

W47A—The Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted extension of special temporary authority to operate high frequency broadcast station W47A on a commercial basis, using temporary antenna system and temporary main studio at the transmitter of the subject station, pending completion of construction and submission of additional data with license application, from December 24, 1941 to not later than January 26, 1942.

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate International Broadcast station WCBX with 10 KW transmitter, using one or more antennas, located at Brentwood, Long Island, from December 28, 1941 to not later than January 26, 1942.

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate television broadcast station WCBW in accordance with construction permit B1-PCT-2 as modified (B1-MPCT-3) except with four KW aural and visual power for the period December 28, 1941 to not later than January 26, 1942.

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate frequency modulation station W67C commercially on **46700 kc.**, 1 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at 1 North LaSalle St., Chicago, from January 7, 1942 to not later than February 5, 1942 pending completion of construction in accordance with construction permit as modified.

WPTZ—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate station W3XE pursuant to Commission's Rules and Regulations Governing Commercial Television Broadcast Stations, from December 30, 1941 to not later than February 27, 1942; operation to be on Channel No. 3.

WINS—Hearst Radio, Inc., New York, N. Y.—Granted extension of special temporary authority to operate by the indirect method with power of 1 KW, using Western Electric Type 355-B-1 transmitter (formerly licensed to WHN) located at 20th Avenue and 31st Street, Astoria, Long Island, N. Y. (site formerly occupied by WHN) from December 28, 1941 to not later than January 26, 1942, provided frequency check shows that it is within 5 cycles of assigned frequency.

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—Granted special temporary authority for a period not to exceed ten days, to operate 1 KW auxiliary RCA 1-DA transmitter, pending action on formal application for license.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Denied petition of WAAF for a rule to be directed to the Evening News Association (WWJ), Detroit, to show cause why the operation of WWJ should not be modified so as to afford greater interference protection to the nighttime service of WAAF as proposed by its pending application for construction permit (B4-P-3077); and the Commission, on its own motion, amended the issues to be determined in the hearing on the WAAF application for construction permit so as to include an additional issue as to whether, if the Commission should conclude that public interest, convenience and necessity would be served by a grant of the WAAF application, it should also require the Evening News Association (WWJ) to modify its manner of nighttime operation so as to reduce the interference limitation that would result to WAAF operating as proposed, and if so, to what extent, and ordered that the Evening News Association (WWJ) be made a party respondent in the hearing on the WAAF application.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate additional time from 7 to 10:30 p. m., CST, December 31, 1941, in order to broadcast New Year's Eve church services and special music, only.

WJR—WJR, The Good Will Station, Detroit, Mich.—Granted special temporary authority to transmit to station CKLW for rebroadcast by that station special religious program between 7:15 and 7:30 a. m., January 1, 1942, only.

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Denied request for special temporary authority to operate additional time for a period not to exceed 30 days.

KYOS—Merced Broadcasting Co., Merced, Calif.—Granted special temporary authority to operate from sign-off time (4:45 p. m., PST, December) on December 31, 1941 to 1 a. m., PST, January 1, 1942, only, in order to broadcast New Year's Eve celebration, provided power is reduced to 100 watts.

W9XYH—Head of the Lakes Broadcasting Co., Superior, Wisc.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43000 kc.**, 1000 watts power, special emission for frequency modulation, with transmitter located at 39th Street and Tower Avenue, Superior, Wisc., from December 28, 1941 to not later than February 26, 1942.

W3XTF—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate special experimental television relay transmitter at Wyndmoor, Pa., on **230000-242000 kc.**, with power output of 15 watts (peak) in order to conduct experiments relative to reception and retransmission of television programs to Television station WPTZ for a period beginning January 1, 1942 and ending in no event later than January 30, 1942.

WOSH—Howard H. Wilson, Oshkosh, Wis.—Granted special temporary authority to operate with main studio at 151½ Main Street, Oshkosh, Wis., in lieu of site specified in construction permit (File No. B4-P-3110) for a period not to exceed 30 days, pending action on formal application for change of studio site.

WIND—Johnson Kennedy Radio Corp., Gary, Ind.—Granted license to use old modified Western Electric 5 KW transmitter as an auxiliary transmitter, with power of 5 KW, employing present directional antenna system, for emergency use only (B4-L-1581).

KADB—Nichols & Warinner, Inc., Area of Long Beach, Calif.—Granted renewal of relay broadcast station license for period ending October 1, 1942.

KAAD—Tarrant Broadcasting Co., Area of Fort Worth, Tex.—Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, of relay broadcast station license, to not later than February 1, 1942.

WENK—WLEU Broadcasting Corp., Area of Erie, Pa.—Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, of relay broadcast station license, to not later than February 1, 1942.

Granted renewal of relay broadcast station licenses for the period ending December 1, 1943, as follows: (areas shown)

WEGV, Champaign, Ill.; WAUY, Evansville, Ind.; WJRL, Jamestown, N. Y.; KEGZ, Spokane, Wash.; WRPM, Cleveland, Ohio.

W2XMN—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **117430 kc.**, power 40 KW, using special emission for frequency modulation with a maximum band width not to exceed **200 kc.**, subject to the condition that no interference is caused to other stations on same or adjacent channels, for the period January 7, 1942 to not later than March 7, 1942, in order to conduct tests pending completion of new FM station W31NY.

W49D—John Lord Booth, Detroit, Mich.—Granted extension of special temporary authority to operate an RCA 1 KW transmitter on **44900 kc.**, using a temporary antenna, from January 4, 1942 to not later than March 4, 1942, pending completion of construction in accordance with permit (File No. B2-PH-20).

WRUS—World Wide Broadcasting Corp., Scituate (Boston), Mass.—Granted extension of special temporary authority to operate exciter unit of transmitter specified in construction permit (File No. B1-PIB-33) with power of 5000 watts, sharing time with Station WRUL on **6040 kc.**, with Station KWID on **15350 kc.** and with Stations WRUL and WRUW on **11730, 11790, 15130, 15350** and **17750 kc.**, for the period January 9, 1942 to not later than May 8, 1942.

W39B—The Yankee Network, Boston, Mass.—Granted extension of special temporary authority to operate frequency modulation station commercially on **43900 kc.**, 1000 watts power, special emission for frequency modulation, using the transmitter of High Frequency Experimental Station W1XER at summit of Mount Washington, Sargents Purchase, N. H., for period January 13, 1942 to not later than March 13, 1942, pending completion of construction under construction permit (File No. B1-PH-13).

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W53PH commercially on **45300 kc.**, 1 KW power, without frequency modulation monitor, using temporary transmitter R.E.L. Type 518, maximum rated carrier power 1 KW, located atop the Widener Building, Philadelphia, Pa., for the period January 4, 1942 to not later than February 2, 1942, pending completion of construction in accordance with construction permit as modified (File No. B2-PH-73; B2-MPH-19).

KTNM—Krasin & Krutzner Broadcasting Co., Tucumcari, N. M.—Granted special temporary authority to operate from 7 a. m. to 7 p. m., MST, instead of unlimited time as specified in existing license, for period January 1, 1942 to not later than January 30, 1942, only, pending action on application to reduce hours of operation.

New Mexico Broadcasting Co.—Granted motion to accept amendment to New Mexico Broadcasting Co. (KGGM), Albuquerque, N. M., application with respect to directional antenna proposed (Docket No. 6142); denied as to request for removal of applications of Arizona Broadcasting Co., Inc. (KVOA), Tucson, Ariz., New Mexico Broadcasting Co. (KGGM), Albuquerque, N. M., and New Mexico Broadcasting Co. (KVSF), Santa Fe, N. M., from hearing docket (Dockets 6082, 6142, 6143); on Commission's own motion continued hearing now set for February 9, 1942 to March 18, 1942.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted motion to accept amendment to application for construction permit, to reduce night power to 25 KW. (Application now requests **680 kc.**, 50 KW day, 25 KW night, unlimited time, directional antenna day and night.)

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 a. m. to 10 a. m., EST, Monday through Friday, for the period beginning January 2, 1942, and ending in no event later than January 31, 1942, provided WSVS remains silent.

WSVS—Board of Education, City of Buffalo, N. Y.—Granted special temporary authority to remain silent for the period beginning January 2, 1942, and ending in no event later than January 31, 1942.

KFQD—Anchorage Radio Club, Anchorage, Alaska.—Granted special temporary authority to operate unlimited time instead of S. H.—6 p. m. to Midnight, LST, for a period not to exceed 30 days.

WICA—WICA, Inc., Ashtabula, Ohio.—Denied special temporary authority to operate from sign-off time (5:15 p. m., EST, January) to 6 p. m., EST, on January 4, 11, 18 and 25, 1942.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate additional time using power of 250 watts, as follows: from 7:55 to 9:55 p. m., CST, Jan. 3, 1942; from 6:25 to 8:25 p. m., CST, Jan. 10; from 6:55 to 8:55 p. m., CST, Jan. 12; from 7:25 to 9:25 p. m. CST, Jan. 17, 1942; from 7:25 to 9:25 p. m., CST, Jan. 24, in order to broadcast basketball games played by Univ. of Ill., on sustaining basis.

WEOF—The National Life and Accident Insurance Co., Inc., Nashville, Tenn.—Granted special temporary authority to operate FM relay test transmitter on Group I frequencies, with power of 40 watts using call letters WEOF, for a period not to exceed 30 days.

Newark Broadcasting Corp., Newark, N. J.; Frequency Broadcasting Corp., Brooklyn, N. Y.; Yankee Broadcasting Corp., New York City.—The Commission, on its own motion, advanced the date of the consolidated hearing on these three applications from February 4, as scheduled, to January 19, 1942. These mutually exclusive applications propose new stations to operate on **620 kc.**

WJZ—National Broadcasting Co., Inc., New York, N. Y.—Denied petition for rehearing directed against Commission action of November 25, 1941, granting in part application of Albuquerque Broadcasting Co. (KOB), Albuquerque, New Mexico, for modification of special temporary authorization to operate on **770 kc.**, with power of 50 KW day, 25 KW night, unlimited time.

WELL—Federated Publications, Inc., Battle Creek, Mich.—Denied petition to reconsider and grant without hearing application for renewal of license which, on September 30, 1941, was designated for hearing.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Renewed regular license (**1030 kc.**, 10 KW, unlimited time) for the period ending April 1, 1944, and extended special service authorization on **770 kc.** with power of 50 KW day and 25 KW night, to March 10, 1942.

APPLICATIONS FILED AT FCC

570 Kilocycles

KGKO—KGKO Broadcasting Co., Fort Worth, Texas.—Modification of construction permit (B3-P-2571) as modified, for changes in directional antenna and increase in power, requesting changes in directional antenna for night use and extension of commencement and completion dates from 3-14-41 and 3-14-42 to 30 days after grant and 60 days thereafter, respectively.

620 Kilocycles

KGW—Oregonian Publishing Co., Portland, Ore.—License to cover construction permit (B5-P-2954) as modified, for installation of directional antenna and increase in power, and authority to determine operating power by direct measurement.

790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Modification of license to increase hours of operation from specified hours to unlimited time.

1090 Kilocycles

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Extension of Special Service Authorization to operate simultaneously with WBAL using 1 KW night, 10 KW day, unlimited time for period ending 2-1-43.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758) as modified, for increase in power and installation of new transmitter and directional antenna for day and night use, requesting extension of completion date from 1-20-42 to 7-20-42.

1270 Kilocycles

NEW—L. J. Duncan, Leila A. Duncan, Josephine A. Keith & Effie H. Allen, d/b as Valley Broadcasting Company, Columbus, Ga.—Construction permit for a new station to be operated on **1270 kc.**, 50 watts night, 1 KW day, unlimited time, employing directional antenna day and night.

1340 Kilocycles

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Transfer of control through sale of 100 shares common stock (100%) by Bradley R. Eidmann to S. O. Ward.

1350 Kilocycles

KGHF—Curtis P. Ritchie, Pueblo, Colo.—Construction permit to increase power from 500 watts day and night to 500 watts night, 1 KW day, and make changes in transmitter.

1450 Kilocycles

KCMC—KCMC, Incorporated, Texarkana, Tex.—Construction permit to change frequency from **1450 kc.** to **1230 kc.** and make changes in transmitting equipment.

WGPC—The Albany Broadcasting Co., Inc., Albany, Ga.—Voluntary assignment of license to J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Company.

1490 Kilocycles

WKRO—Oscar C. Hirsch, Cairo, Ill.—License to cover construction permit (B4-P-3022) as modified for a new station, and authority to determine operating power by direct measurement.

1560 Kilocycles

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Extension of Special Service Authorization to operate on **1560 kc.**, 10 KW, unlimited time, non-directional antenna, from 2-1-42 to 4-1-44.

NEW—Edward E. Reeder, Seattle, Washington.—Construction permit for a new station to be operated on **1560 kc.**, 250 watts, unlimited time. Amended: to change requested frequency from **1560 kc.** to **1600 kc.**, facilities of KPMC, contingent on KPMC's change to **1560 kc.**

FM APPLICATIONS

NEW—Bremer Broadcasting Corp., Jersey City, N. J.—Construction permit for a new high frequency broadcast station to be operated on **47100 kc.**, 8,500 square miles coverage, population 11,325,000. Amended: to change transmitter site from 26 Journal Square, Jersey City, N. J., to Montclair, N. J., and studio from 1819 Broadway, New York, N. Y., to 50 Journal Square, Jersey City, N. J., change frequency from **47100 kc.**, to **49500 kc.**, coverage from 8,500 to 6,135 square miles, population from 11,325,000 to 10,906,200, make changes in antenna system and change type of transmitter.

TELEVISION APPLICATIONS

W9XCB—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-PVB-74) as modified, for a new television station, requesting extension of completion date from 1-15-42 to 7-15-42.

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile.—Modification of construction permit (B1-PVB-46) as modified, for a new television relay station, requesting extension of completion date from 1-7-42 to 7-7-42.

MISCELLANEOUS APPLICATIONS

NEW—Columbia Broadcasting System, Inc., Brentwood, L. I., N. Y.—License for new international broadcast station using equipment formerly licensed to station WCBX and for authority to use the station as auxiliary under call letters WCBX or WCRC in event of failure or breakdown of main transmitters of international stations WCBX or WCRC. Frequencies: **6060, 6120, 6170, 9550, 11830, 15270, 17830, 21520,** and **21570 kc.**, 10 KW, A-3 emission.

FEDERAL TRADE COMMISSION ACTION

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Heatless Permanent Wave Company—A complaint has been issued charging Irvin A. and Arnold F. Willat, trading respectively as Heatless Permanent Wave Co. and as Willat Production Co., 1122 Folsom St., San Francisco, with the dissemination of false and deceptive advertisements in connection with the sale and distribution of their Willat Method of Heatless Permanent Waving. (4663)

Nestle's Milk Products, Inc.—A complaint has been issued charging Nestle's Milk Products, Inc., 155 East 44th St., New York, with false and misleading advertising in connection with the sale of a food product designated "Nescafé." (4661)

N-A Company, Laurel, Miss., is charged in a complaint with misrepresenting the therapeutic properties of a medicinal preparation known variously as "N-A No. 7," "Vicine," "Nature's Aid," and "N-A." (4662)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

Life Savers Corporation, Port Chester, N. Y., engaged in the manufacture and sale of a candy confection known as "Life Savers," has been ordered to cease and desist from violation of the Robinson-Patman Act. (4571)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Arsenic Spring Water Company—Robert Enrico, trading as Arsenic Spring Water Co., Hot Springs, Ark., has entered into a stipulation to cease representing that his preparation "Arsenic Spring Water" constitutes a remedy or cure, or is indicated as a treatment, for diabetes, high blood pressure, constipation, rheumatism, malaria, or liver, stomach, bladder or kidney ailments, or is a tonic or an alterative, or has no equal as a diuretic. The respondent also agrees to cease representing that his product, taken internally, will cleanse the skin, is of therapeutic value for cutaneous diseases, or has a significant laxative effect. (02928)

David P. Barry Corporation, 353 Fifth Ave., New York, distributor of men's dress and novelty jewelry, have entered into a stipulation to cease representing or placing in the hands of others the means to represent that a die-cut or machine-punched design or pattern has been traced and cut by manual operation and that an item electroplated with a thin coat or flashing of gold is in fact heavily plated with gold or has the quality and value of an article so processed. According to the stipulation, the respondent represented its novelty item, "Name Key Chains," which were machine-punched and thinly electroplated, as being "Hand-Pierced" and "Heavy Gold Plated." (3335)

A. & J. Engel, Inc.—Two New York City firms engaged in the sale of fur products, A. & J. Engel. Inc., 18 East 50th St., and Max Schreibman Fur Company, Inc., 214 West 29th St., have stipulated to cease and desist from designating or referring to fur coats or other articles manufactured from the peltries of Metis lambs or other lambs not full breed Persians as "Persian Lamb." The companies also agree to discontinue advertising, selling, branding or otherwise representing fur or furs as the product of a true species or breed of animals, unless such fur has been obtained from a true species or breed of animals. (3331-3332)

Filtrator Coffee Apparatus Company—Under a stipulation entered into Filtrator Coffee Apparatus Company, Inc., 135 West 25th St., New York, engaged in the sale of coffee apparatus and restaurant supplies, has agreed to cease and desist from passing off coffee filter papers or other merchandise manufactured in Japan or other foreign country as and for such articles which are of domestic origin. (3333)

Filshie Lead Head Nail Co., Inc., 5801-07 South State St., Chicago, engaged in the sale of nails designed for securing sheet metal roofing to wooden roofs, has stipulated that it will cease representing, by diagram or in any other manner, that its ring shanked nails have a designated holding power in excess of that possessed by other roofing nails, when in fact they do not actually have the holding power indicated, and will discontinue representing, pictorially or otherwise, that the lead with which its nails are equipped penetrates through the hole formed by the nail shank in a sheet of metal in either an indicated manner or in a represented amount, when in fact neither the manner nor amount of lead penetration customarily occurs. (3328)

Fox Manufacturing Company, Inc., 1214 Broadway, New York, engaged in selling underwear and sportswear, has stipulated that it will cease and desist from certain misrepresentations in connection with the sale of its products. According to the stipulation, the company marketed certain undergarments under the trade name "Dr. Hopkins Health Underwear," when, in fact, there is no such person as "Dr. Hopkins" connected with the business, nor have the garments any significant features entitling them to be called "Health" underwear. (3330)

M. Goodman & Son, Jacob Goodman, 294 Fifth Ave., New York, wholesale jobber of women's hosiery, entered into a stipulation to cease employing the designation "Crepe Finish" or the word "Crepe," with or without qualifications, as descriptive of hosiery or other merchandise which does not in its fibers, strands, and weave meet the recognized standards of a crepe fabric. The respondent also agrees to cease using the word "finish" or similar term in any manner implying that the surfacing of an article has been completed with any other substance than that actually used. (3337)

Hearn Department Stores, Inc., 14th St. at 5th Ave., New York, stipulated that in the sale of flatware it will cease representing as "heavy silver-plated" an article merely flashed with a thin coating of silver, or which does not meet all the recognized standards for heavy silver plate. The respondent also agrees to desist from use of the words "guarantee," "guaranteed," "guaranty" or other similar words in connection with the sale of its products unless clear disclosure is made of exactly what is offered by way of security, such as replacement or refund of purchase price. The respondent further agrees to cease representing that certain flatware has a price greater than that for which it is ordinarily retailed and to discontinue using fictitious prices in any manner having a tendency to mislead prospective purchasers. (3336)

Julian & Kokenge Co., manufacturer of women's shoes, 280 South Front St., Columbus, Ohio, has stipulated to cease and desist from use of the word "Alligator," either alone or in connection with the word "Calf" or with any other words as descriptive of shoes which are not made from the hide of an alligator; and from use of the word "Alligator" or any simulation thereof in advertising matter so as to imply that the shoes to which such word or words refer are made from the hide of an alligator. The stipulation provides, however, that the word "Alligator" may be used to designate the finish of shoes which are made from other materials and which are finished or embossed to resemble alligator leather, when such word is immediately accompanied by other words clearly indicating that such designating word refers only to the pattern embossed on the materials. (3327)

Kemp & Lane, Incorporated, Le Roy, N. Y., agreed, in a stipulation that in the sale of its medicinal preparation "Orangeine," it will cease disseminating advertisements which fail to reveal that the preparation should not be used in excess of the dosage recommended; that its frequent or continued use may be dangerous, causing collapse or a dependence on a drug; and that it should neither be taken by nor administered to children; provided, however, that such advertisements need only contain the statement: "Caution, Use Only as Directed," if and when the directions for use, wherever they appear on the label, in the labeling or in both label and labeling, contain a caution or warning to the same effect. The product is advertised for use in relieving headache, neuralgia and the discomforts arising from head colds. The respondent's preparation, according to the stipulation, contains the drug acetanilid. (02929)

Potts-Turnbull Company, an advertising agency located at 912 Baltimore Ave., Kansas City, Mo., has stipulated that it will cease and desist from disseminating certain advertisements concerning poultry products designated "Staley Four Bells Growing Mash," "Staley Four Bells Grower Pellets," "Master Growing Pellets," "Master Growing Mash," "Master Chick All Mash" and "Master Chick All Mash Pellets." (02930)

B. G. Pratt Company, 50 Church Street, New York, engaged in the manufacture and sale of insecticides, including a preparation designated "D-X," has entered into a stipulation to cease and desist from representing that the United States Department of Agriculture has in two consecutive seasons or years found that a spray consisting of or containing "D-X" and arsenate of lead was first in Japanese beetle protection or the most effective spray for Japanese beetles. (3329)

Washington Press-Photo Bureau, 1526 Connecticut Ave., N. W., Washington, D. C., has entered into a stipulation to discontinue certain representations in connection with the sale of portraits. (3326)

Windsor Luggage Company—Judah L. Angard and Meyer S. Friedlander, trading as Windsor Luggage Company, 236 Broadway, New York, engaged in the sale of luggage and other merchandise, have entered into a stipulation to cease and desist from designating or representing their business as "wholesale" in their advertising folders or catalogs or in any other manner, and from using the term "discount" or representing that the prices at which they sell their merchandise constitute a discount to purchasers or are wholesale prices, when, in fact, they are the usual and customary prices at which they sell such merchandise in the normal course of business. (3334)

NAB Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 3, January 16, 1942

NAB Board Meets

The Board of Directors held a two-day session in Washington on Thursday and Friday, January 8 and 9. A thorough discussion of industry problems was had, the principal topic being the relation of the industry and NAB to the war effort.

At the luncheon on Thursday noon, Byron Price, Director of Censorship spoke informally and off the record to the Board. J. Harold Ryan, the Assistant Director of Censorship, whose immediate task it will be guard against possible use of radio in a manner that will not contribute to the successful prosecution of the war, was present. Mr. Ryan is a member of the Board from the Seventh NAB District (Kentucky and Ohio). He was presented by the Board with a complete outline of the statements which they felt should be incorporated in a guide for broadcasters in the handling of war news and other types of programs.

Ellsworth Alvord, NAB tax consultant gave an interesting outline of the possible trend of the laws relating to taxation as they affect radio. Mr. Alvord has been retained to represent NAB in tax matters.

The Board elected a committee consisting of John Fetzer (District 8), O. L. Taylor (District 13), and Howard Lane (District 15) to confer with Chairman Fly of the FCC with regard to his expressed wishes that some agency be created to act as liaison between the government departments having to do with the war and the broadcasting industry. This committee conferred with Mr. Fly and reported back on Saturday.

Mr. A. J. Fletcher, WRAL, Raleigh, North Carolina, a member of the NAB National Defense Committee in charge of the drive to train technicians as replacements for present personnel subject to draft and in the reserve, reported on that activity. He stated that they had been successful in securing cooperation from a large number of colleges and schools in the matter of giving short term course for the training of technicians.

The matter of a war labor policy was discussed and a strikeless plan, submitted by the Labor Committee, was discussed. It was the sense of the Board that those who desire to make use of such a plan should be at liberty to do so.

There was general discussion regarding amendment of the By-Laws to qualify national networks for active membership in NAB. The Board approved the submission to the membership at the next annual convention the amendment to the By-Laws providing for network membership, and postponed for consideration at the next Board meeting the matter of network representation on the Executive Committee. These By-Law proposals will be published in a subsequent issue of the NAB Reports.

Other items discussed were the music situation, the 1942 convention program, NAB Code, daylight saving bills and other legislative matters, the NAB 1942 budget, public relations plans, and past and future District meeting.

Two vacancies upon the Board were filled. To replace William H. West, formerly of WTMV, East St. Louis, Illinois, who was Ninth District Director, but whose position was vacated by reason of his disposing of his interest in the station, the Board elected Edgar L. Bill, WMBD, Peoria, Illinois. To replace C. W. Myers, KALE, Portland, Oregon, a Director-at-Large for medium stations, who resigned due to pressure of other matters, the Board elected George W. Norton, Jr., of WAVE, Louisville, Kentucky.

The Board elected to membership the following stations:

WAIR, Winston-Salem, North Carolina; WBBB, Burlington, North Carolina; WBEZ, Chicago, Illinois; WBRK, Pittsfield, Massachusetts; WCOV, Montgomery, Alabama; WEIM, Fitchburg, Massachusetts; WFIG, Sumter, South Carolina; WFOR, Hattiesburg, Mississippi; WGAA, Cedartown, Georgia; WGGA, Gainesville, Georgia; WHEB, Portsmouth, New Hampshire; WHMA, Anniston, Alabama; WIAC, San Juan, Puerto Rico; WOCB, West Yarmouth, Cape Cod, Massachusetts; WSRR, Stamford, Connecticut; KEVE, Everett, Washington; KEVR, Seattle, Washington; KFRE, Fresno, California; KLO, Ogden, Utah; KPRO, Riverside, California; KRKO, Everett, Washington; KROS, Clinton, Iowa; and KTEM, Temple, Texas.

DAYLIGHT SAVING

The NAB's long fight for universal daylight saving (or none) came nearly to successful conclusion Thursday when Congress approved and sent to the President a bill to provide universal daylight saving of one hour for the war period. The bill would become effective 20 days after the President signs it.

OFFICE OF FACTS AND FIGURES

Designation of the Radio Division of the Office of Facts and Figures, under William B. Lewis as coordinator, as the central clearing agency for governmental broadcasting, was announced today by Archibald MacLeish, director of the Office of Facts and Figures.

The action was taken by direction of President Roosevelt in a letter from Stephen Early, Secretary to the President, to Mr. MacLeish, under whose supervision the letter directed that the work be done.

According to the White House letter, Mr. MacLeish, through Coordinator Lewis, was instructed "to give guidance to Government departments and agencies and to the radio industry as a whole concerning inquiries originating within the Government and received by the Government from the broadcasting companies and stations and to handle certain Government programs on the networks within the United States."

The White House letter continued: "It is requested that you advise all departments, and agencies of the Government, especially those in the offices of the Director of Censorship, the Federal Communications Commission and the Coordinator of Information, as well as the national net-works and the National Defense Committee of the National Association of Broadcasters, that this assignment has been given to the Radio Division, OFF.

"It is not intended that the functions of the Radio Division, OFF, shall in any way conflict with the short wave or foreign broadcasting work now being carried on by the Office of the Coordinator of Information or by the Office of Mr. Nelson Rockefeller. It is recognized, however, that certain programs arranged by the Radio Division, OFF, may, from time to time, be broadcast to the world at large and it is suggested that the Radio Division, OFF, on all such occasions, consult with and arrange

(Continued on page 20)

NAB Reports
The National Association of Broadcasters
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

OFFICE OF FACTS AND FIGURES

(Continued from page 19)

broadcasts of this nature in cooperation with the officials of Mr. Rockefeller's office and those in Colonel Donovan's office in order to avoid conflict and possible overlapping of radio programs."

Mr. Lewis, recently resigned his position as Vice-President of the Columbia Broadcasting System, in charge of Programs, to become Assistant Director of the Office of Facts and Figures, in charge of its Bureau of Operations, which includes the Radio Division. Assisting him in the Radio Division is Douglas Meservey, formerly Assistant to the Vice-President in charge of programs of the National Broadcasting Company.

The Bureau of Operations is one of the several Bureaus into which the Office of Facts and Figures is divided. The Bureau of Intelligence is headed by R. Keith Kane, formerly of the Department of Justice; the Bureau of Production is headed by Martin Sommers, formerly an Associate Editor of the *Saturday Evening Post;* and the Bureau of Media Liaison is directed by Ulric Bell, formerly a Washington representative of the *Louisville Courier Journal,* and, more recently, the Executive Chairman of the Fight for Freedom.

The staff of the Office of Facts and Figures, includes a number of distinguished writers, journalists, and professional men who have accepted calls to the government service in the emergency period.

The Associate Director is Allen Grover, formerly Vice President of Time, Inc. The Deputy Directors whose work brings them into direct contact with the various departments and agencies of the government, include among others Morris Hadley, a well-known New York lawyer, formerly a law partner of Under Secretary Patterson of the War Department and a member of the Corporation of Yale University; Christian Herter, Speaker of the House of Representatives of Massachusetts and overseer of Harvard University; Professor Abraham Feller of the Yale University Law School; and Captain Robert E. Kintner, former Washington columnist.

Among the writers now serving on the staff of the Office of Facts and Figures are Henry Pringle, Pulitzer Prize biographer of William Howard Taft; Malcolm Cowley, liberal journalist and author and for many years an editor of the *New Republic;* Milton MacKaye, frequent contributor to the leading magazines; and Charles Poore, for many years a literary editor of the *New York Times.*

ASCAP CONTRACTS

The following correspondence between NAB and ASCAP as to the ASCAP contracts is self-explanatory.

On December 18, 1941, Neville Miller wrote the following letter to John G. Paine, General Manager of ASCAP:

On my recent swing around the country attending District Meetings I found that many stations desire additional information concerning the ASCAP contract. I assured them that I would try to give them as definite information as possible and therefore have prepared a memorandum covering the points discussed which I wish to send out as a special bulletin as soon as possible. I shall appreciate it if you will read it and write me your comments so I may receive them by Wednesday morning, December 24, which is the deadline for our next NAB Reports.

You will notice that there is one point on which I could not settle the broadcasters' problem, that is, on the question of a clearance at the source license for electrical transcriptions. Is such an agreement now available?

Neville Miller received the following letter, which was dated December 23, 1941, from John G. Paine, General Manager of ASCAP:

"I have your letter of December 18, 1941 and the memorandum which you have prepared.

"Undoubtedly what you are seeking to say is the same as what we have in mind but you haven't said it our way, and as long as we are to be bound by it, and I rather think that we should be, we would like to rewrite the memorandum and express it in our own words, and then send it on to you for such use as you may desire to make of it.

"We think this is going to be very helpful, and we thank you for your willingness to cooperate."

Since NAB's receipt of Mr. Paine's letter, several requests have been made of ASCAP for the memorandum, but NAB has been unable to secure it. Therefore, rather than delay longer, we are publishing the original memorandum as sent to ASCAP. We shall publish in a future issue of the Reports any comments on this memorandum received from ASCAP.

Meanwhile, stations will doubtless want to cover expressly the points raised in any agreements they negotiate with ASCAP.

The memorandum follows:

For the benefit of broadcasters who have signed or who intend to sign ASCAP contracts, we give herewith a resume of those items of the contract which may need specific attention and also certain matters not in the contracts submitted to broadcasters by ASCAP which should be taken up and settled with ASCAP before any contract is signed:

1. Broadcasters signing an ASCAP blanket license, either sustaining or commercial, will have tendered to them simultaneously letters which are designated "Local Blanket Commercial Letter" and "Local Blanket Sustaining Letter." These letters appear on page 25 and page 33 respectively of the NAB Special Bulletin dated September 30, 1941. Paragraph IV of the Local Blanket Commercial Letter and Paragraph III of the Local Blanket Sustaining Letter should be stricken out before signature of the applicable blanket contract. Those paragraphs were intended to be included only in contracts signed by network owned and operated stations, and their inclusion in the letters which were transmitted to other stations was erroneous.

2. Both blanket and sustaining license agreements contain provisions which amount to covenants not to sue as a result of claims prior to a date which is left blank. This provision is Paragraph 14 of the Local Station Program Commercial License, Document 4 in NAB Special Bulletin of September 30, 1941; Paragraph 15 of the Local Station Blanket Commercial License, Document 5; Paragraph 14 of the Local Station Program Sustaining License, Document 6; and, Paragraph 15 of the Local Station Blanket Sustaining License, Document 7. Unless the station is willing to allow unresolved claims to remain open against it, the same date should be filled out in the appropriate release clause of any contract it signs as is filled in at the end of the contract as the effective date of the contract. If there is any valid claim against your station, you should consider whether you do not want to adjust this claim and dispose of it finally and get the release before you sign your new contract.

Authorized representatives of ASCAP have informed us that they will not permit the releases to run up to the date of the signing of the agreement by the station unless the station signs within a reasonable time. (See NAB Reports of December 5, p. 882,—"Effective Date of ASCAP Release") The reason for this is clear. A station, for example, which played ASCAP music during 1942 without a license and then signed a contract would not be entitled to get a release which would give the station, in effect, a free license for the year 1942. Stations which contemplate delaying the signature of ASCAP contracts for a substantial period but which nevertheless intend ultimately to sign an ASCAP contract will, of course, be just as careful as stations which do not intend to sign an ASCAP contract at all, to avoid any infringements whatsoever.

Equally important is that every station should obtain the covenant not to sue set forth as Document 11C of the NAB Special

Bulletin of September 30, 1941, at page 35. This is the document which releases the stations from claims under former contracts. If the station does not get this agreement executed by the Society simultaneously with the execution of the contract the Society will be able, if it desires, to bring claims based on accounting practices, free hours, etc., under expired agreements between the station and the Society. For your convenience this document, reworded to apply to stations instead of networks, should read as follows:

> In consideration of the execution and delivery simultaneously herewith of certain agreements between (insert name of station) (herein called Station) and American Society of Composers, Authors and Publishers (herein called Society) and in consideration of the mutual covenants not to sue hereby executed by each of the parties hereto in favor of the other, Society hereby covenants that it will not sue, arrest or attach Station, its successors or assigns, for or on account of any claim, demand or cause of action arising prior to the date of these presents out of any "performing rights license" agreements heretofore in effect between Station and Society (except paragraph . . . of such of the prior license agreements covering Station as expired December 31, 1941). (The paragraph number to be filled out here should be the number of the paragraph of your last contract with ASCAP under which ASCAP agrees to indemnify you with respect to claims.) Nothing herein contained shall release, discharge, prejudice or otherwise affect any other claim, demand or cause of action which either of the parties hereto may have against the other or their respective members, stockholders, directors or officers, particularly but not limited to any claims, demands, causes of action, rights or remedies for the violation of any Federal or State anti-trust laws. This covenant not to sue shall not affect the obligations, rights and remedies of the respective parties hereto under said agreements executed simultaneously herewith.
>
> In Witness Whereof, the undersigned have caused their respective seals to be hereunto affixed and these presents to be signed by their duly authorized officers on the .... day of ...., 1941.
>
> (Station)
>
> By....................................
>
> American Society of Composers, Authors and Publishers.
>
> By....................................

Document 11A and Document 11B appearing on pages 34 and 35 respectively of the NAB Special Bulletin dated September 30, 1941, constitute an exchange of covenants not to sue on anti-trust claims. If you are willing to release ASCAP from past anti-trust claims against you and want ASCAP to release you with respect to any anti-trust claims which they may have or think they may have against your station, Documents 11A and 11B should be executed and exchanged. In the case of Document 11A, the signatures should be not only those of the Society but of its officers, directors and the publisher members on its Board. The publisher members are as follows:

> SHAPIRO, BERNSTEIN & CO., INC., SKIDMORE MUSIC CO, INC., IRVING BERLIN, INC., ABC MUSIC CORPORATION, BREGMAN, VOCCO & CONN, INC., CHAPPELL & CO., INC., CRAWFORD MUSIC CORPORATION, T. B. HARMS COMPANY, MARLO MUSIC CORP., GERSHWIN MUSIC CORP., CARL FISCHER, INC., GALAXY MUSIC CORP., MILLS MUSIC, INC., AMERICAN ACADEMY OF MUSIC, INC., FAMOUS MUSIC CORPORATION, PARAMOUNT MUSIC CORP., WORDS & MUSIC, INC., ROBBINS MUSIC CORPORATION, LEO FEIST, INC., MILLER MUSIC, INC., G. SCHIRMER, INC., BOSTON MUSIC COMPANY, WILLIS MUSIC COMPANY, M. WITMARK & SONS, REMICK MUSIC CORP., HARMS, INC., VICTORIA PUBLISHING CO., NEW WORLD MUSIC CORP., AND SHUBERT MUSIC PUB. CORP.

Document 11B, of course, will be signed merely by the station. BMI and NAB have already executed Document 11B, and have received in exchange Document 11A from ASCAP.

When you send in a contract to ASCAP for execution you should include these documents with your signed contract and should write a covering letter stating that the delivery by you to ASCAP of the enclosed contract or contracts is conditional upon the prompt return to you of all documents transmitted (identifying them in the letter) executed properly on behalf of ASCAP and in the case of Document 11A by its officers, directors and the publishers represented on its Board.

3. In considering whether it is to your economical benefit to take out the per program commercial contract or the blanket commercial contract there are a number of points which you should consider:

A. Under the blanket contract the reasonable value of any consideration which you receive for time or announcements on the air other than cash is included in the income upon which you have to base your payments to ASCAP. This includes, for instance, studio space in hotels given in exchange for announcements. If you decide to take the blanket deal it might be wise for you to have an understanding in advance as to the amount which will be deemed the reasonable value of the consideration you receive under trade deals.

B. Authorized representatives of ASCAP have stated at District meetings that if an ASCAP jingle is used on a transcription and this jingle is the only music that is used, the program is compensable at the 2% incidental rate rather than at the 8% major use of music rate under the per program commercial contract.

C. If you have a musical clock or other participating program which broadcasts some music, some news, etc., and the program is listed, announced and billed as one program, the station is obligated to pay ASCAP on the entire program. If, however, this program is broken down into a number of separate programs, for instance, with the news period segregated from the portion of the program which uses ASCAP music and the portion of the program which uses ASCAP music segregated from the portion of the program which uses BMI, PD and other music, so that there will be a number of separate programs instead of one program, a substantial saving may result to the station and this should be considered by all stations. We understand from the statement of authorized ASCAP representatives at District meetings that even if the newspaper lists the musical clock or other participating program under one name, if it is in fact segregated and station break announcements made between the segments of the program that this will be an adequate division by ASCAP into separate programs.

D. With respect to "package deals" the following statement has been made by authorized representatives of ASCAP at District meetings. The station need pay only on that portion of the charge made to the sponsor which constitutes the legitimate charge for time on the air. In order to take advantage of this, however, the billing to the sponsor must clearly indicate what portion of the charge is for time on the air and what portion of the charge is for lines, special talent, and charges paid for permission to broadcast sports events, etc., and the items must be separately listed in the books of the Company earmarked as revenue from sale of time on the one hand and revenue from talent, etc., on the other. It is understood that arbitrary charges not incurred by the station cannot be set up for the mere purpose of reducing card rate. In other words, if the station normally furnishes studios and announcers, an arbitrary division of the card rate, $\frac{1}{3}$ for time on the air, $\frac{1}{3}$ for announcers and $\frac{1}{3}$ for studio rental, would not be recognized. On the other hand, if the charges are legitimate, payment to ASCAP need not be made on them even though this reduces the amount on which payment to ASCAP is based. If below the regular card rate, the station will not be required to pay on the charges so separately paid and billed. It would appear, however, that the amount paid for the entire program could not be less, despite this, than the amount which would have been paid had the program been sustaining. In other words if a station broadcasts a football game at a loss in order to bring a special type of entertainment to its listeners, it would still have to pay the same charge as it would for the use of ASCAP music on a sustaining basis.

4. No contract for regional networks has as yet been made available to the NAB although such contracts are in process of negotiation. Stations should, therefore, consider whether a regional network contract is of such importance to their operations that they are unwilling to sign local contracts before the final form of the regional network contract is available to them.

5. In a letter from William J. Scripps to all broadcasting stations dated October 17, 1941, Mr. Scripps said with respect to musical logs under per program licenses:

> "(a) The FCC log will not be required.
>
> "(b) A station with a per program commercial license and without a sustaining license or with a blanket sustaining license will furnish ASCAP only with musical program logs for its commercial programs. Likewise, if a station with a

> per program sustaining license and without a commercial license or with a blanket commercial license will furnish ASCAP only with musical program logs for its sustaining programs. If a station took a per program commercial contract and no sustaining contract the playing of an ASCAP number on a sustaining program may be considered an infringement.
>
> "As to the reporting of library transcriptions, manufacturers thereof or broadcasters are to furnish ASCAP a complete detailed list of numbers thereon recorded, showing the serial number of the transcription, and a complete list of numbers recorded including the title, composer, author, and copyright owner of each number, and as to such transcriptions so listed by the manufacturer or broadcaster to ASCAP the stations may report simply the serial number of the record, name of the manufacturer and number of the cut which was played. As to any transcriptions not so listed by the manufacturer or the broadcaster to ASCAP, the station is obligated to furnish full details of titles, names of composers, authors, etc.
>
> "As to ordinary commercial phonograph records, if ASCAP lists them to stations on their customary service reports, it will be in such case sufficient for the station to report only manufacturer's name or brand, serial number and side of record played. If, however, ASCAP has not listed the record on its usual service reports, the station is required to list the full details shown on the label."

Mr. Paine in a letter to all broadcasting stations dated October 31, 1941, said:

> "You have undoubtedly received a communication from the Independent Broadcasters, Inc., amending paragraph 5 of the per program commercial contract. This contract is being offered to you with such amendment, and upon execution of such agreement an amending communication in accordance with our letter to Mr. William Scripps of Independent Broadcasters, Inc., dated October 17th, 1941, will be furnished you."

You should, therefore, ask for and receive an amended communication which incorporates the provisions of Mr. Scripps' letter and attach the same to your contract before you execute it, or in the alternative state in your covering letter to ASCAP that the contract is being transmitted upon the understanding that you will have the benefit of the quoted portion of Mr. Scripps' letter. Stations which take out a per program license may well desire to receive from ASCAP in advance the forms which they will be expected to fill out, in order that any questions which they may have as to their practicability may be resolved before the final execution of contracts. In this connection it may be pointed out that stations are entitled to receive Document 10 on page 34 of the NAB Special Bulletin of September 30, 1941, on signing their agreements in those cases where they desire to keep their records on a cash basis.

6. Document 9 in the NAB Special Bulletin of September 30, 1941, is an agreement between ASCAP and the NAB with respect to clearance at the source of commercial electrical transcriptions running to the benefit of broadcasting stations. Authorized representatives of ASCAP have confirmed that this letter means that a station with blanket or per program license has its choice of whether the program is to be included in the station's accounting to ASCAP under the license between the station and ASCAP or whether the transcription is cleared at the source and, therefore, excluded from the station's own agreement. Such authorized representatives of ASCAP have confirmed that, of course, stations which have no contract with ASCAP are entitled to have electrical transcriptions cleared at the source on the outlined basis if they so desire. However, no contract for the clearance of electrical transcriptions at the source has ever been put into final form and made available to the NAB. Stations which deem a contract for the clearance of electrical transcriptions so essential to them that they desire to have the contract submitted to them in final form before they sign agreements with ASCAP should bear this point in mind. This would be a contract between the transcription company and ASCAP and would not be subject to execution by the station, but would merely be submitted to the station for its scrutiny in order that the station could determine if its operation under the contract was in all respects practicable.

7. Any station which signed a contract with ASCAP previous to the time the new contracts were offered stations and which wants the benefits of the new contracts, is entitled to a new contract on demand. Such stations should, therefore, obtain new contracts and forward them to ASCAP with the request that the new contracts be substituted for the old contracts and that the old contracts be cancelled as of the date of substitution.

FOOTBALL MUSIC

A number of broadcasters have told us that the Thornton W. Allen Company has returned to them the license payment which they made for football music under the Consent Decree, requesting that the money be forwarded directly to ASCAP. The Thornton W. Allen Company very properly and honestly point out that they disagree with the Society's interpretation of the point. We are of their opinion. The Consent Decree does not countenance payment directly to ASCAP but requires merely that the members of ASCAP should make payment of the sums they receive to the organization of which they are members. Under these circumstances, it is felt that a preservation of the exact terms of the Decree will be best served if stations return the checks to Thornton W. Allen Company stating that they are willing to make payment in accordance with the Decree but not contrary to its terms.

Network Rules Argued

MONDAY

Major radio networks will be gravely injured unless recent regulations of the FCC, seeking to limit contractual relations between the chains and their affiliated stations, are voided, attorneys for NBC and CBS told a Statutory Federal Court consisting of Judges Learned Hand, John Bright and Henry W. Goddard on Monday.

The two networks are asking for a temporary injunction restraining the enforcement of the regulations until their suits to void the new rules are adjudicated finally. The regulations were promulgated last May 2 and amended Nov. 12. By stipulation between the commission and the two chains they have been suspended pending a judicial decision on the application for a temporary injunction.

Opposing the temporary injunction, Telford Taylor, general counsel for the FCC, argued yesterday that the regulations were necessary to preserve and promote competition between stations and to insure the fullest use of radio facilities for the service of the public.

Although a number of regulations are involved, the controversy before the court centers on four dealing with affiliation contracts between stations and networks, and with time options given to networks by stations. At present affiliation contracts generally provide that a station shall not carry any program offered by a competing network and that the network shall not offer any program to a competing station. The prevalent option practice gives the network first call on the station's broadcast time and requires the station, upon twenty-eight days notice, to shift or cancel a non-network program to carry a network program.

The regulations under attack ban these practices by providing that no license shall be granted a station having an exclusive affiliation contract or to a station having option arrangements with a broadcaster that prevent or hinder the station from scheduling programs or requires it to shift or cancel any program on less than fifty-six days' notice to make room for a network broadcast.

Arguing for NBC, John T. Cahill charged that the commission was usurping functions of the Department of Justice and the courts in attempting to decide what is a monopoly. The commission, he said, regards itself as "an efficiency expert" in business and is trying to dictate the business policies of broadcasting executives. It is without power to make the regulations in question, he added, citing Congressional debates that preceded adoption of the law giving the commission its authority.

Charles Evans Hughes, Jr., representing CBS, argued that the regulations instead of promoting competition would lessen it. They also would make it difficult, if not impossible, for networks to obtain advertising contracts by creating new and unnecessary uncertainties about the number and location of outlets involved, he contended.

"The whole business of a national radio network depends on its ability to sell the time of its stations to a national advertiser," he explained. "To negotiate successfully the network must be able to state concretely what it has to offer. It sometimes requires months of market study and research, program planning and negotiations before an advertiser can decide whether or not to use network broadcasting and if so what stations and program to utilize. Under the regulations the network would be in no position to make a firm offer of any definite program coverage during this period of negotiations."

Both Mr. Cahill and Mr. Hughes argued that if the commission has the power to make regulations covering affiliation contracts and options it can, in similar fashion, exercise a censorship over the programs presented by the stations. Both also cited the fact that the Federal Government has brought suit against them in Chicago for alleged violation of the anti-trust laws based on substantially the same grounds as those advanced in support of the regulations.

Because of the limited number of outlets available in many cities the present "exclusive" affiliation contracts prevent broadcasters in those locations from making the fullest use of their facilities, Mr. Taylor argued. If but three outlets are available and all three have exclusive affiliation contracts then a fourth chain, such as MBS (which is supporting the commission's stand in this litigation) cannot obtain an outlet there, he said. The option practices, he continued, make it difficult for a local station to enter into attractive contracts with local advertisers or into contracts with national advertisers for "spot" announcements or programs.

The hearing adjourned for the day before Mr. Taylor finished his argument.

TUESDAY

Charges that existing radio networks would be wrecked by enforcement of recent Federal Communications Commission regulations were assailed yesterday by representatives of the Commission and MBS at a hearing before a Federal Statutory Court consisting of Judges Learned Hand, John Bright and Henry W. Goddard. The jurisdiction of the court to try suits by NBC and CBS to void the regulations was also attacked.

After the hearing the court reserved decision on motions by National and Columbia for temporary injunctions restraining the Commission from putting the regulations into effect. By agreement between the two companies and the Commission the new rules are being held in suspension pending the outcome of the injunction application. If it is granted the court may then take testimony on which it will base its decision as to the validity of the regulations.

An affidavit by Fred Weber, general manager of Mutual, submitted to the court yesterday, argued that the new regulations governing affiliation contracts between networks and stations and options given networks by stations would not impair the ability of networks to obtain advertising accounts, as charged by the older networks. What they will do, he said, is enable Mutual to compete with the other chains on an equal footing.

By barring "exclusive" clauses in affiliation contracts, he explained, Mutual will be able to obtain time not being used by other networks on local stations for sponsored programs and by limiting the option arrangements between networks and stations Mutual will be assured that local stations cannot drop its programs to take a rival network program, he explained. Mutual has lost several lucrative contracts, he added, because of its inability to get outlets in certain large cities and because some stations were forced to drop its programs to broadcast programs of other networks with which the station had an option arrangement.

As specific examples he cited the shift of the Ballantine beer and ale program from Mutual to the NBC Blue network, a March of Time program that was negotiating with Mutual, but signed with NBC Blue, the transfer of a Lucky Strike program from Mutual to National and several others.

The new regulations, he continued, will not prevent or interfere with the carrying out by any network of broadcast contracts now in effect nor will they, in practice, make any change in the existing situation in cities having four or more full-time outlets.

Option contracts permissible under the regulations, he said, will enable a network to clear local stations of local and national "spot" broadcasts as heretofore but will not enable one network to force a cancellation or change in programs being carried for another network. The latter restraint, in practice, he said, will apply only to cities having three or fewer outlets. Where four outlets are available, he predicted, each of the four networks, NBC red, NBC blue, Columbia and Mutual, will have a single outlet.

Since there are only about 300 advertisers using national hookups and since most of them have established programs that continue from year to year over the same stations, he predicted that the confusion and chaos depicted by rival networks would never materialize.

The court took a keen interest in questions relating to the ability of networks to make commitments on coverage to advertisers during negotiations and in questions raised by the government as to the jurisdiction of the court.

Thomas E. Harris, assistant general counsel of the commission, argued that the orders were not reviewable by the court at this time because they did not compel any one to do anything. In effect, he said, they are mere statements of commission policy to be applied as stations make applications for renewal of their licenses. The fact that about one-third of the NBC affiliates have signified a desire to modify their existing contracts with the network is merely incidental, he argued. He said the case should have no standing in court until the commission has denied a license to some station.

Labor

STRIKE SETTLEMENT

What should the employer do when threatened by a strike?

The answer came this week in an executive order by President Roosevelt, in setting up the new War Labor Board. It said, in part:

> "3. The procedures for adjusting and settling labor disputes which might interrupt work which contributes to the effective prosecution of the war shall be as follows:
>
> "(a) The parties shall first resort to direct negotiations or to the procedures provided in a collective bargaining agreement.
>
> "(b) If not settled in this manner the commissioners of conciliation of the Department of Labor shall be notified if they have not already intervened in the dispute.
>
> "(c) If not promptly settled by conciliation, the Secretary of Labor shall certify the dispute to the board, provided, however, that the board in its discretion after consultation with the Secretary may take jurisdiction of the dispute on its own motion. After it takes jurisdiction, the board shall finally determine the dispute and for this purpose may use mediation, voluntary arbitration or arbitration under rules established by the board."

This machinery may prove costly and slow moving, however, when only a small number of men are involved. The NAB Labor Relations Director is attempting to work out a simplified procedure for those stations which care to make use of it. Any station threatened with a strike should communicate with the NAB.

COURT UPHOLDS OVERTIME RULES

The United States Circuit Court of Appeals for the Fourth Circuit has upheld the Wage and Hour Division, U. S. Department of Labor, in its interpretation of the overtime provisions of the Act.

The opinion was the second Circuit Court opinion upholding the Division in its interpretation that overtime pay must be at the rate of time and one-half the employee's regular hourly rate —not merely time and one-half the minimum rate under the Act.

Reversing the decision of Judge William C. Coleman, in U. S. District Court at Baltimore, Maryland, the Fourth Circuit Court opinion directs the lower court to enter judgment for William H. Missel against the Overnight Motor Transportation Company, Inc., of Baltimore, which employed him as a dispatcher. Judge Coleman held that Missel was entitled to only time and one-half 30 cents per hour, the minimum rate of pay under the Act, despite the fact that his weekly wage was on a basis higher than that figure.

The Circuit Court opinion, in disallowing the lower court's interpretation of the overtime provisions (Section 7(a)) of the Act, said:

". . . the court below adopted a 'minimum wage' theory of Section 7(a) and consequently concluded that the overtime provisions of the Act are satisfied by the payment of one and one-half times the statutory minimum rate for each overtime hour—'regular rate' and 'minimum rate' becoming synonymous.

"This interpretation makes the overtime provisions of the Act effective only as to employees in the lowest wage brackets. Since we have adopted a 'maximum hour' interpretation of Section 7(a), it follows as the night the day that we must reach a different conclusion.

"We think it is clear that 'regular rate' of pay means the *actual* rate of pay which the employee is receiving, no matter how high, and not the minimum rate set forth in the statute.

"We are unable to agree with the lower court that the primary purposes of the Fair Labor Standards Act are satisfied by the payment of time and one-half, the statutory minimum wage for overtime. Furthermore, we do not believe that Section 7(a) is merely part of a broad scheme of minimum wage regulation."

Referring to Congress' aim in adopting the Act, the Circuit Court opinion states:

"It seems plain from the legislative history of the Act that, in addition to attempting to establish a decent national level of working conditions, one of the fundamental purposes of the Act was to induce worksharing and relieve unemployment by reducing hours of work. . . . One of the impelling forces behind the Act is the effort to promote economic stability through increased purchasing power.

"These purposes of the Act are accomplished because the overtime provisions of the Act, requiring employers to pay an extra bonus or penalty for such work, distinctly tend to discourage overtime. This is on the theory that the overtime rate established by the Act will be sufficiently expensive to compel employment of new men, and that employers rather than pay overtime will spread employment."

With reference to the Wage-Hour Division's interpretations, the Circuit Court pointed out that "both interpretative bulletins issued by the Wage and Hour Division and regulations have interpreted 'regular rate at which he is employed' to mean the actual rate the employee is receiving and not the statutory minimum. Although such interpretations are by no means binding on the courts, we consider them highly significant."

While in accord with the opinion of the Circuit Court for the Sixth Circuit, which declared the Division's interpretation of the time and one-half provisions of the Act to be the "unmistakable meaning" of the Act, the opinion announced today takes decided issue with parts of the opinion of the Fifth Circuit Court, in *Fleming* v. *H. Belo Corp.*, publishers of The Dallas Morning News.

In its reference to this opinion, the Fourth Circuit Court states:

"We are unable to agree with the Circuit Court of Appeals for the Fifth Circuit that the overtime provisions of the Act are merely part of a scheme to raise substandard wages. Rather we conclude that the purpose of Section 7(a) is to eliminate long hours of labor by requiring employers to pay extra compensation for overtime work. Otherwise the guarantees of the Act become 'only a promise to the ear to be broken to the hope, a teasing illusion like a munificent bequest in a pauper's will.'" (The quotation is from an opinion by Mr. Justice Jackson of the U. S. Supreme Court in *Edwards* v. *California*.)

The *Fleming* v. *A. H. Belo Corp.* case now is before the U. S. Supreme Court and, as the Fourth Circuit Court opinion points out, "It is estimated that the eventual outcome of this case will have a powerful impact and profound effect on many million 'white-collar' workers getting more than the statutory minimum wage."

LABOR GIVEN PLACE ON DCB COMMITTEES

James Lawrence Fly, DCB Chairman of the Defense Communications Board, today announced that, as a result of a meeting between the Labor Advisory Committee and the Board, a decision has been reached clarifying the contribution which labor would be expected to make in the future work of the Board. The plan would substantially enhance the position of labor as well as industry in the functioning of the Board and would assure its due participation in the over-all task of planning for the nation's communications systems under war conditions.

As a result of the new undertaking, the DCB will invite representatives from labor to participate in the work of the expert communications committees. Labor thus will be in a position to aid more effectively in the formulation of basic plans affecting communications systems in the emergency. Furthermore, future joint meetings between the Industry and Labor Advisory Committees will be held as needed in order to assure complete industry solidarity in the tasks ahead. The extent of labor's participation and the recognized limitations on the Board's functions were set forth in the attached letter from Chairman Fly to the Labor Advisory Committee which was concurred in by the latter.

In making the announcement, Chairman Fly praised the cooperation of all parties concerned, and said:

"There has been full recognition on all sides both of the vital role which communications must play in our total war effort and of the necessity that this must be our sole concern at the moment. We are fully resolved to see that this nation's communications facilities are as adequate and secure as they can be made under the circumstances. In formulating plans to that end, the Board wants all the qualified help it can get, whether from management or labor. We do not recognize any special group interest in developing plans in the communications field for our total war effort."

Chairman Fly also praised the decision to hold future joint meetings between the Industry and Labor Advisory Committees, pointing out that such meetings hold great promise in assuring cooperation among management, labor, and government in communications.

At the same time the following statement was issued by the Labor Advisory Committee:

"The members of the Labor Advisory Committee welcome the action of the Defense Communications Board in convening a joint conference of the Industry and Labor Advisory Committees at our request to consider communications problems affecting the war effort. We believe the conference was a step in the direction of the full utilization of the resources, facilities, manpower, intelligence, and initiative of each component part of the communications industry in the total war effort. Both industry and labor recognize that all matters which are properly the subject of collective bargaining will not come within the purview of these discussions but will continue to be referred to the established appropriate government agencies.

"We hope in successive joint meetings to be able to evolve effective methods of working out jointly the many problems which affect our industry in this crisis.

"The action taken by the Defense Communications Board today in appointing labor representatives along with industry and government on the various special planning committees of the Board will, we feel, facilitate the work of these committees. The constructive and sympathetic approach to labor's proposals expressed by Chairman Fly for the Defense Communications Board will be a source of gratification to the workers in the communications industry."

COST OF LIVING

Below is the Labor Department's latest *comparative* cost of living index, which should prove helpful in collective bargaining. It is dated September 15, 1941.

This index shows how much it costs a four-person family to maintain a decent standard of living in each of 33 cities, in *comparison* with each other. For instance, it shows that, for every $100 a family in Washington, D. C., has to spend for the bare necessities of decent living, a family in Atlanta, Ga., has to spend $89.90.

To obtain a comparison, say, between Atlanta and Birmingham, divide 88.2 by 89.9. You will find that the cost of living in Birmingham is 98.1 per cent of the cost in Atlanta.

The index:

Atlanta	89.9	Milwaukee	94.3
Baltimore	90.9	Minneapolis	95.3
Birmingham	88.2	Mobile	82.2
Boston	96.3	New Orleans	87.9
Buffalo	90.1	New York	100.5
Chicago	99.7	Norfolk	92.8
Cincinnati	91.1	Philadelphia	90.4
Cleveland	95.5	Pittsburgh	93.7
Denver	86.9	Portland, Maine	90.9
Detroit	98.2	Portland, Oregon	90.9
Houston	87.4	Richmond	90.4
Indianapolis	88.6	St. Louis	94.5
Jacksonville	89.9	San Francisco	97.5
Kansas City	84.8	Scranton	92.6
Los Angeles	89.2	Seattle	94.3
Manchester	91.4	Washington, D. C.	100.0
Memphis	89.6		

ORGANIZED LABOR LEADERS MAKE 74 NETWORK TALKS IN 1941

Leaders of the American Federation of Labor and the Congress of Industrial Organizations made a total of 74 appearances on national network radio programs in 1941.

In announcing this figure, Joseph L. Miller, director of labor relations for the National Association of Broadcasters, pointed out that it did not include the many local labor programs aired by individual stations. Nor does it include the appearances made by national labor leaders on individual stations. The total includes only those appearances on the networks of the Columbia Broadcasting System, the Mutual Broadcasting System and the National Broadcasting Company.

Talks by labor leaders are carried without charge, as a public service by the networks and stations. In the event any speaker takes one side of a controversial public issue, a representative of the other side is offered an equal amount of free time for rebuttal.

Technician Training

A folio containing complete information on radio technician training courses was mailed to all stations last Saturday, January 10, by A. J. Fletcher, NAB National Defense Committee Member-in-Charge, Training Courses. The vastness of the nation's needs for men possessing fundamental knowledge in radio surprised many station managers; but in all probability a new goal will be set before the present one is achieved. This has been the history of the recruiting jobs which the broadcast industry has been called upon to perform for Army, Navy, Marines, Coast Guard and Civil Service.

The subject of training technicians was one of the chief topics of conversation among the thousand engineers who attended the IRE meeting in New York, Monday, Tuesday and Wednesday of this week, according to Lynne C. Smeby, NAB director of engineering. All in all the engineers seemed well satisfied with the suggested course.

NEW YORK

Educators from upper New York met in Syracuse on January 3 in response to the call of Colonel Harry C. Wilder, WSYR. On Sunday, January 4, educators of the metropolitan New York district and of northern New Jersey gathered in New York City. Those attending the New York City meeting were:

Robert Widdop, Associate Director ESMDT, Newark College of Engineering
M. A. Chaffee, Associate Director ESMDT, Rutgers University
P. H. Daggett, Dean of Engineering, Director ESMDT, Rutgers University
Lynne C. Smeby, Director of Engineering, NAB
Brother A. Leo, Dean of Engineering, Manhattan College
Eleanor H. Grady, Academic Dean, Hunter College, New York City
M. L. Weinrich, Chairman, Department of Physics, Brooklyn College
B. Kurrelmeyer, Professor of Physics, Brooklyn College
Paul A. Northrop, Professor of Physics, Vassar College
Clifford C. Carr, Head, Chemical Engineering Department, Pratt Institute
A. L. Cook, Director of Engineering School, Pratt Institute
Robin Beach, Professor of Electrical Engineering, Brooklyn Polytechnic
George A. Yanosik, ESMDT Institutional Representative, New York University
H. N. Walker, Professor of Electrical Engineering, New York University
Jessee B. Sherman, Instructor in Electrical Engineering, The Cooper Union
Frank E. Canavaciol, Associate Professor of Electrical Communication, Brooklyn Polytechnic
A. Dexter Hinckley, Institutional Representative, ESMDT, Columbia University
John B. Russell, Assistant Professor of Electrical Engineering, Columbia University
Arthur Stringer, NAB, Washington
Harry Baum, Professor of Electrical Engineering, College of the City of New York
William Allan, Institutional Representative, ESMDT, College of the City of New York
C. J. Velz, Director ESMDT, Manhattan College
Lewis Lee, Lieut. Comdr. U. S. N., Bureau of Navigation, Washington.

Dean Albert B. Newman, College of the City of New York, metropolitan New York Coordinator, for the training courses, was represented by William Allan. The Dean was attending a conference in Baltimore.

State Coordinator of radio training in New York State outside of the metropolitan area is Dean S. C. Hollister, College of Engineering, Cornell University, Ithaca. In this district the qualified ESMDT institutions will give courses in their own behalf and will "sponsor" courses in other schools. The setup according to groups is as follows:

Syracuse Area
Syracuse University
Hamilton College
Colgate University
Oswego
Hobart College
Hartwick College

Cornell University
Cornell University
Alfred University
Canisius College
Niagara University
University of Buffalo
Buffalo State Teachers
Houghton College

Rensselaer Polytechnic Institute
Rensselaer Polytechnic Institute
Albany State Teachers
Siena
Union College

Clarkson College of Technology
Clarkson
St. Lawrence University

OHIO

Six northern Ohio colleges have elected to clear their courses through Case School of Applied Science, which school will also give training. These schools are:

Hiram College; College of Wooster; Oberlin College; Baldwin Wallace College; Youngstown College; John Carroll University.

Dean C. E. MacQuigg, of Ohio State, Columbus, Northern Ohio Coordinator, indicated over the telephone that five or six schools have already indicated that they would clear through his institution. One of them is Kent State College.

Fenn College, with the help of all Cleveland radio stations, is quickly enrolling its initial quota.

George Young, WSPD, Toledo, reports that the University of Toledo has gone all-out to establish these courses. Ten days ago they had enrolled 190 for the first course. The University of Akron is busy recruiting students. In the Cincinnati area, C. H. Topmiller, chief engineer WCKY, wrote Mr. Patt, Ohio Industry Representative, that the Cincinnati radio stations and colleges had had their meeting to inaugurate the training program.

CONNECTICUT

Franklin M. Doolittle, WDRC, Hartford, Industry Representative for Connecticut, reports that Dean Lampe of the University of Connecticut, Professor Turner of Yale, and chief engineers of Hartford stations, have met to complete plans. Mr. Doolittle has prepared announcements for use of all Connecticut stations with attendant publicity for the press.

MASSACHUSETTS

E. E. Hill, WTAG, Massachusetts Industry Representative, reports a letter from Roy Harlow, Yankee Network Vice President, Boston, that Harvard University had agreed to give radio technician training courses.

During the week, course outlines have been dispatched to Dean M. D. Smith, Dakota Wesleyan University, Mitchell, S. D.; Dean J. Stanley Morehouse, Villanova College, Villanova, Pa.; and C. A. Anderson, Local Director, Defense Training Program, University of Pittsburgh, Johnstown, Pa., and the University of Missouri.

IOWA

Dr. O. J. H. Preus, president, Luther College, Decorah, Iowa, visited NAB headquarters last week, to discuss giving radio technician training courses. Upon his return he planned to institute courses over a wide area.

Another Ohio visitor was J. C. Rapp, general manager, KMA, Shenandoah. He is about ready to open a section or two in his city.

PENNSYLVANIA

Eastern Pennsylvania educators and broadcasters met at the Lido Restaurant, Philadelphia, January 15, to plan radio technician training courses. Meeting was called by W. T. Spivey, Drexel Institute, Philadelphia, Coordinator of the program in Eastern Pennsylvania.

NEW JERSEY

Word has been received from M. A. Chaffee, associate director, ESMDT program, at Rutgers University, that a minimum of 100 courses will be established by his institution.

NAVY ESTABLISHES SCHOOL

The U. S. Navy is developing high frequency radio as a new weapon for the nation's armed forces. This was revealed today when the Navy Department announced it opened a Navy primary school for training in high frequency radio in Chicago yesterday.

The school, only one of its kind in existence, is located on the top floor of the State-Lake building, 190 North State street. The course will require approximately two months, and the Navy expects each class to number about 100 men.

Balaban and Katz corporation, owner and operator of television station W9XBK, fostered the new project. It has given the Navy floor space, equipment and an instructional staff at its own expense for the duration of the emergency.

Lieutenant William C. Eddy, USN, Retired, will direct the activity of the high frequency classes, which will be known as the Naval Training School (Radio Materiel).

SALES MANAGERS EXECUTIVE COMMITTEE MEETS

On Tuesday and Wednesday, January 13 and 14, the NAB Sales Managers Executive Committee met in New York City. Frank Pellegrin, Director of the Department of Broadcast Advertising, for which the Sales Managers Committee serves as an executive body, reported upon the result of the sales managers sessions held in connection with the recent series of District meetings.

Items discussed were standardization of rate card schedules, coverage maps, surveys, questions of per inquiry and free time, and NAB sales helps. Dealer cooperative advertising and the broadcast advertising record were discussed. The committee also devoted considerable time to a preliminary discussion of the sales managers participation in the program of the 1942 Cleveland convention to be held in May.

On the second day of the meeting, the entire Executive Committee and Mr. Pellegrin joined with other broadcasters in conducting a radio panel at the NRDGA convention. A full report of this activity will be forthcoming in an early issue of NAB Reports. The Executive Committeemen were guests of the Radio Executives Club of New York at a luncheon which was devoted entirely to NAB. Speakers were Frank Pellegrin, Eugene Carr, WGAR, chairman of the Committee, and C. E. Arney, Jr., assistant to the president. A large representation of agency and radio people were in attendance.

Following is a list of the committeemen, all of whom were in attendance: Eugene Carr, WGAR; Dietrict Dirks, KTRI, E. Y. Flanigan, WSPD; John M. Outler, Jr., WSB; Arthur Hull Hayes, CBS; Linus Travers, WAAB; and George H. Frey, NBC.

Press Censorship Code

The text of the code of wartime practices for newspapers, magazines and other periodicals, was issued Wednesday by Byron Price, Director of Censorship.

At the same time, Price announced that J. H. Sorrells, Assistant Director of Censorship who is on leave as executive editor of the Scripps-Howard newspapers, would be in direct charge of administering the code. He will be assisted by a small board of editors and an advisory council of the publishing industry, which will be appointed soon.

The censorship code follows:

This statement responds to the many inquiries received by the Office of Censorship, asking for an outline of newspaper and magazine practices which the Government feels are desirable for the effective prosecution of the war.

It is essential that certain basic facts be understood from the beginning.

The first of these facts is that the outcome of the war is a matter of vital personal concern to the future of every American citizen. The second is that the security of our armed forces and even of our homes and our liberties will be weakened in greater or less degree by every disclosure of information which will help the enemy.

VALUE TO ENEMY TEST

If every member of every news staff and contributing writer will keep these two facts constantly in mind, and then will follow the dictates of common sense, he will be able to answer for himself many of the questions which might otherwise trouble him. In other words, a maximum of accomplishment will be attained if editors will ask themselves with respect to any given detail, "Is this information I would like to have if I were the enemy?" and then act accordingly.

The result of such a process will hardly represent "business as usual" on the news desks of the country. On the contrary, it will mean some sacrifice of the journalistic enterprise of ordinary times. But it will not mean a news or editorial blackout. It is the hope and expectation of the Office of Censorship that the columns of American publications will remain the freest in the world, and will tell the story of our national successes and shortcomings accurately and in much detail.

The highly gratifying response of the press so far proves that it understands the need for temporary sacrifice, and is prepared to make that sacrifice in the spirit of the President's recent assurance that such curtailment as may be necessary will be administered "in harmony with the best interests of our free institutions."

SUMMARY OF PROBLEMS

Below is a summary covering specific problems. This summary repeats, with some modifications, requests previously made by various agencies of the Federal Government, and it may be regarded as superseding and consolidating all of those requests.

Special attention is directed to the fact that all of the requests in the summary are modified by a proviso that the information listed may properly be published when authorized by appropriate authority. News on all of these subjects will become available from Government sources; but in war, timeliness is an important factor, and the Government unquestionably is in the best position to decide when disclosure is timely.

The specific information which newspapers and magazines are asked not to publish except when such information is made available officially by appropriate authority falls into the following classes:

TROOPS

The general character and movement of United States Army units, within or without the continental limits of the United States—their location; identity or exact composition; equipment or strength; their destination, routes and schedules; their assembly for embarkation, prospective embarkation or actual embarkation. Any such information regarding the troops of friendly nations on American soil.

[Note: The request as regards location and general character does not apply to troops in training camps in continental United States, nor to units assigned to domestic police duty.]

SHIPS

The location, movements and identity of naval and merchant vessels of the United States in any waters, and of other nations opposing the Axis powers, in American waters; the port and time of arrival or prospective arrival of any such vessels, or the port from which they leave; the nature of cargoes of such vessels; the location of enemy naval or merchant vessels in or near American waters; the assembly, departure or arrival of transports or convoys; the existence of mine fields or other harbor defense; secret orders or other secret instructions regarding lights, buoys and other guides to navigators; the number, size, character and location of ships in construction, or advance information as to the date of launchings or commissionings; the physical setup or technical details of shipyards.

PLANES

The disposition, movements and strength of army or navy air units.

FORTIFICATIONS

The location of forts and other fortifications; the location of coast defense emplacements, or anti-aircraft guns; their nature and number; location of bomb shelters; location of camouflaged objects.

PRODUCTION

Specific information about war contracts, such as the exact type of production, production schedules, dates of delivery, or progress of production; estimated supplies of strategic and critical materials available; or nation-wide "round-ups" of locally published procurement data except when such composite information is officially approved for publication.

FACTORY SITES

Specific information about the location of, or other information about, sites and factories already in existence, which would aid saboteurs in gaining access to them; information other than that readily gained through observation by the general public, disclosing the location of sites and factories yet to be established, or the nature of their production.

Any information about new or secret military designs, or new factory designs for war production.

WEATHER

Weather forecasts, other than officially used by the Weather Bureau; the routine forecasts printed by any single newspaper to cover only the State in which it is published and not more than four adjoining States; portions of which lie within a radius of 150 miles from the point of publication.

Consolidated temperature tables covering more than twenty stations, in any one newspaper.

> Note: Special forecasts issued by the Weather Bureau warning of unusual conditions, or special reports issued by the Weather Bureau concerning temperature tables, or news stories warning the public of dangerous roads or streets, within 150 miles of the point of publication, are all acceptable for publication.

Weather "round-up" stories covering actual conditions throughout more than one State, except when given out by the Weather Bureau.

PHOTOGRAPHS AND MAPS

Photographs conveying the information specified in this summary, unless officially approved for publication.

Detailed maps or photographs disclosing location of munition dumps, or other restricted army or naval areas.

> Note: This has no reference to maps showing the general theater of war, or large scale zones of action, movements of contending forces on a large scale, or maps showing the general ebb and flow of battle lines.

> Note: Special care should be exercised in the publication of aerial photos presumably of non-military significance, which might reveal military or other information helpful to the enemy; also care should be exercised in publishing casualty photos so as not to reveal unit identifications through collar ornaments, etc. Special attention is directed to the section of this summary covering information about damage to military objectives.

GENERAL

Casualty lists.

> Note: There is no objection to publication of information about casualties from a newspaper's local field, obtained from nearest of kin, but it is requested that in such cases, specific military and naval units, and exact locations be not mentioned.

Information disclosing the new location of national archives, art treasures, and so on, which have been moved for safekeeping.

Information about damage to military and naval objectives, including docks, railroads or commercial airports, resulting from enemy action.

> Note: The spread of rumors in such a way that they will be accepted as facts will render aid and comfort to the enemy. It is suggested that enemy claims of ship sinkings, or of other damage to our forces, be weighed carefully and the source clearly identified if published.

Information about the transportation of munitions or other war materials, including oil tank cars and trains.

Information about the movements of the President of the United States, or of official military or diplomatic missions of the United States or of any other nation opposing the Axis powers—routes, schedules, or destination, within or without the continental limits of the United States; movements of ranking army or naval officers and staffs on official business; movements of other individuals or units under special orders of the army, navy or State Department.

> Note—Advertising matter, letters to the editor, interviews with men on leave, columns and so on are included in the above requests, both as to text and illustration.

If information should be made available anywhere which seems to come from doubted authority, or to be in conflict with the general aims of these requests; or if special restrictions requested locally or otherwise by various authorities seem unreasonable or out of harmony with this summary, it is recommended that the question be submitted at once to the Office of Censorship.

The Office of Censorship,
BYRON PRICE, *Director.*

THE WAR AND THE WEATHER

(Amarillo (Tex.) Daily News)

Not the least of the inconveniences of modern war is suspension of broadcast weather forecasts and the skeletonizing of printed reports. Many a Plainsman can't understand how a weather forecast for the Panhandle might be of aid to the enemy.

Of course the chances that a particular weather forecast would be used against us are remote. But we can't afford to take even a remote chance. A radio signal even from a comparatively small station has a disconcerting habit of bouncing about the globe and coming down to earth in the most outlandish places. For example, the "sky wave" of KGNC makes the station audible in small areas of California, Mexico, Nebraska, Florida and, under certain conditions, even on the other side of the world. In the station's files are many cards and letters from such far-away spots as New Zealand, where KGNC broadcasts have been heard. One of the most recent is a letter received from a New Zealand town on Nov. 17, in which the listener detailed 10 minutes of the station's schedule and asked for a confirmation. The listener even mentioned the weather at the time the program was received.

Now suppose that a receiving station at a Japanese submarine base could pick up KGNC's signal some clear, frosty morning, and check the weather forecast. Then suppose it could pick up a dozen other stations in other parts of the United States, all of which gave weather reports. From this data a good weather man could compile a map showing with fair accuracy the movement of pressure areas, and thus determine probable conditions in any part of the United States.

If the Japanese were planning a submarine or air attack on some section of the United States, they would make every effort to obtain weather data in advance. If commercial stations were unrestricted in broadcasting forecasts, it would be a simple matter.

Printed forecasts, of course, could not be gathered and compiled for a large area in time to be of any value; hence skeletonized predictions are still permitted in the newspapers.

It's inconvenient, yes; especially during a cold spell such as we have just gone through. But, as the French say—c'est la guerre.

SET MAKING CONTINUES

Reports that OPM would shut down radio production in two or three months were declared by the Radio Manufacturers Association to be inaccurate and misleading.

"The Office of Production Management has as yet made no announcement or order regarding curtailed civilian production of radio," said Bond Geddes, Executive Vice President of the Radio Manufacturers Association. "The radio industry is already widely engaged on the very large program of vital radio and other military equipment and is going rapidly into increased military expansion. Reduced manufacture of civilian radio obviously is involved and an OPM order is expected shortly curtailing civilian radio by about 30 per cent during the first three months of this year, but not a complete shut down. Further reduction in civilian radio later in 1942 is expected as the industry becomes more extensively engaged on the military program. Also it is understood the official policy contemplates supplies of tubes and other replacement and repair parts for radio sets now in the hands of the public, and we are not advised of any official plans for 'rationing' of radio."

56 MILLION RADIO SETS IN 1942

The official NAB estimate places the number of radio sets in use as of January 1, 1942 at 56 million. These sets are distributed as follows:

Homes with radios	30,600,000
Sets in institutions, places of business, and additional sets in homes	16,400,000
Automobile sets	9,000,000
Total	56,000,000

From a year ago the increase in the number of homes with radios is 1,300,000. The increase in automobile sets amounts to a million. The remainder of 3,600,000 sets is allocated to sets located in places of business, institutions, etc., and additional home sets.

TAFT AMENDMENT

Senator Taft (R-Ohio) intends to propose the following amendment to the bill to permit the President to take over Wire Communications Industries during the war:

AMENDMENT

(H. R. 6263) to amend section 606 of the Communications Act of 1934 for the purpose of granting to the President, in time of war or threatened war, certain powers with respect to communications by wire, viz:

On page 2, line 14, insert the following: "*Provided, however,* That except in case of invasion or in connection with the movement of military or naval forces no such authorization shall be given for the use and control of property costing more than $10,000,000 without prior appropriation by the Congress."

STATE LEGISLATION

NEW YORK:

S. 10 (WILLIAMSON) INDUSTRIAL BANK ADVERTISING—Provides that no industrial bank shall advertise, print or broadcast any statement with regard to rates, terms or conditions for loans unless interest rate or charge is stated as rate per cent per annum or per month on unpaid principal balance. Referred to Committee on Banks.

S. 11 (WILLIAMSON) PERSONAL LOAN—ADVERTISING—Prohibits advertising by printing, broadcasting, publishing or otherwise by bank or trust company in connection with personal loan dept. of statements relative to rates, terms or conditions for loaning money unless stated in terms of rate per annum or per month on unpaid principal balance. Referred to Committee on Banks.

FEDERAL COMMUNICATIONS COMMISSION

ALL AMATEURS ORDERED OFF THE AIR

At the request of the DCB, the FCC January 9 ordered all amateur radio operation to cease immediately. It was explained that national defense considerations require such complete cessation.

A Commission order of December 8 suspended amateur activities save for those authorized by the Defense Communications Board upon recommendation of federal, state, or local officials in connection with defense. Many such requests had been approved by the Commission at the instance of the Defense Communications Board.

However, in the light of subsequent events and military requirements, the Board and the Commission both have decided that all amateur radio operation shall be suspended. In consequence, all special authorizations granted since December 8 are now cancelled.

923 STATIONS

The Federal Communications Commission issued operating licenses to seven stations and granted six permits for the construction of new stations during the month of December, 1941. Two operating stations were deleted. A comparative table by months follows:

	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1
Operating	831	835	836	837	836	849	854	859	859	869	877	882	887
Construction	51	46	54	54	55	48	43	44	53	44	38	37	36
	882	881	890	891	891	897	897	903	912	913	915	919	923

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 19. They are subject to change.

Thursday, January 22

The Following are Consolidated

NEW—Cuyahoga Valley Broadcasting Company, Cleveland, Ohio.—C. P., **1300 kc.**, 1 KW, daytime only.

NEW—Lake Shore Broadcasting Corporation, Cleveland, Ohio.—C. P., **1300 kc.**, 5 KW, unlimited; DA-night & day.

Monday, January 19

NEW—Charles P. Blackley, Staunton, Virginia.—C. P., **1240 kc.**, 250 watt, unlimited time.

The Following to Be Consolidated

NEW—Frequency Broadcasting Corporation, Borough of Brooklyn, New York, N. Y.—C. P., **620 kc.**, 500 watt, daytime.

NEW—Yankee Broadcasting Company, Inc., New York, New York.—C. P., **620 kc.**, 1 KW, unlimited time; DA-night & day.

NEW—Newark Broadcasting Corporation, Newark, New Jersey.—C. P., **620 kc.**, 5 KW, unlimited time; DA-day & night.

Wednesday, January 21

Further Hearing

To Be Held in Room 6121—New Post Office Building, 12th Street and Pennsylvania Avenue, N. W.

Investigation to determine what policy or rules, if any, should be promulgated in connection with operation of new high frequency (FM) broadcast stations and for future acquisition of standard broadcast stations by newspapers, Pursuant to Order No. 79.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted modification (B4-MP-1439) of construction permit (B4-P-3139) to make changes in directional antenna system, and extend commencement and completion dates.

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Granted modification of license (B5-ML-1099) to make changes in directional antenna system, and change from day and night use to nighttime only. (Daytime non-directional).

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted modification (B3-MP-1417) of construction permit (B3-P-3049) to make local change in transmitter site proposed, increase power to 10 KW day, change type of transmitter and directional antenna. (Now licensed on **1420 kc.**, 5 KW; unlimited, DA-N; under construction permit **1010 kc.**, 5 KW, DA-N unlimited).

WOLS—O. Lee Stone (Assignor), The Florence Broadcasting Co., Inc. (Assignee), Florence, S. C.—Granted consent to voluntary assignment of license (B3-AL-322) of station WOLS, from O. Lee Stone to The Florence Broadcasting Company, Inc., with stipulation that same is not to be construed as an approval with respect to any future transfer of control over the assignee by reason of any transfer of stock or otherwise.

WILM—Delaware Broadcasting Co., Inc., Wilmington, Del.—Granted application for waiver of Sec. 3.45(e) of the rules so as to permit station to use the south tower of WDEL in same city.

W9XC—Central Broadcasting Co., Davenport, Iowa.—Granted application for modification of construction permit (B4-MPEX-7) to extend completion date for this developmental broadcast station for a period of 2 weeks from January 19.

William Penn Broadcasting Co., Philadelphia, Pa.—Granted construction permit (B2-PH-118) for new FM station to operate on **47300 kc.**, 9,300 square miles service area.

LICENSE RENEWALS

KID—KID Broadcasting Co., Idaho Falls, Idaho.—Granted renewal of license for the period ending not later than August 1, 1942.

Granted renewal of following station licenses for the period ending not later than August 1, 1943:

KOBH, Rapid City, S. D.; WGRC, New Albany, Ind.; WHBQ, Memphis, Tenn.; KWYO, Sheridan, Wyo.

Granted renewal of following station licenses for the period ending not later than October 1, 1942:

KOME, Tulsa, Okla.; KVSO, Ardmore, Okla.; KWFC, Hot Springs, Ark.; KWOS, Jefferson City, Mo.; KWLM, Willmar, Minn.; WBBL, Richmond, Va.; WHBY, Appleton, Wisc.; WLNH, Laconia, N. H.; WSNJ, near Bridgeton, N. J.

Granted renewal of following station licenses for the period ending not later than October 1, 1943:

KFIZ, Fond du Lac, Wisc.; KLBM, La Grande, Ore.; KNET, Palestine, Tex.; WAGM, Presque Isle, Maine; WEED, near Rocky Mount, N. C.; WHFC, Cicero, Ill.; WHLS, Port Huron, Mich.; WLPM, Suffolk, Va.; WMVA, Martinsville, Va.; WNOE, New Orleans, La.

Granted renewal of following station licenses for the period ending December 1, 1943:

KPAB, Laredo, Tex.; KRNR, Roseburg, Ore.

Granted renewal of following station licenses for the period February 1, 1942 to not later than February 1, 1944:

KOAM, Pittsburg, Kans.; WBAP, Fort Worth, Tex.; WCCO, Minneapolis, Minn.; WEW, St. Louis, Mo.; WGN, Chicago, Ill.; WHAS, Louisville, Ky.; WHDH, Boston, Mass., and auxiliary; WHEB, Portsmouth, N. H.; WJR and auxiliary, Detroit, Mich.; WLS, Chicago, Ill.; WNAD, Norman, Okla.; WOSU, Columbus, Ohio; WWL, New Orleans, La.; KFI and auxiliary, Los Angeles, Calif.; WAIT, Chicago, Ill.

Granted renewal of following station licenses for the period February 1, 1942 to not later than April 1, 1944:

KJBS, San Francisco, Calif.; KNX, Los Angeles, Calif.; KRLD, Dallas, Tex.; KVOO, Tulsa, Okla.; KYOS, near Merced, Calif.; WBT, Charlotte, N. C.; WHAM, Rochester, N. Y. and auxiliary; WIBC, Indianapolis, Ind.; WNOX, Knoxville, Tenn.; WWVA and auxiliary, Wheeling, W. Va.; KSTP and auxiliary, St. Paul, Minn.; KMOX, St. Louis, Mo.; KJR and auxiliary, Seattle, Wash.

Granted extension upon a temporary basis only, pending determination upon application for renewal of license, in no event longer than March 1, 1942, of following station licenses:

KFVD, Los Angeles, Calif.; KGA, Spokane, Wash.; KIEV, Glendale, Calif.; KMPC and auxiliary, Beverly Hills, Calif.; KOMA, Oklahoma City, Okla.; WBAL, Baltimore, Md.; WCAL, Northfield, Minn.; WHCU, Ithaca, N. Y.; WINS, New York, N. Y.; WKAR, East Lansing, Mich.; WOAI and auxiliary, San Antonio, Tex.

KGDM—E. F. Peffer, Stockton, Calif.—Granted extension upon a temporary basis only, pending determination upon application for renewal of license, in no event longer than April 1, 1942.

MISCELLANEOUS

K45LA—Don Lee Broadcasting System, Los Angeles, Calif.—Granted modification of construction permit for new high frequency broadcast station, for extension of commencement and completion dates only, from August 18, 1941 and February 14, 1942, to February 14, 1942 and August 13, 1942, respectively (B5-MPH-60).

W49PH—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit for new high frequency broadcast station, for extension of completion date only, from January 22 to July 22, 1942 (B2-MPH-62).

W77XL—WJIM, Inc., Lansing, Mich.—Granted modification of construction permit which authorized a new high frequency broadcast station, for approval of antenna system (B2-MPH-50).

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted construction permit to move old Collins transmitter to site of new main transmitter, Pinesville, Tenn., for use as an auxiliary transmitter, with present antenna system, power of 250 watts for emergency use only (B3-P-3412).

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted modification of construction permit for change in type of transmitter and changes in directional antenna system (B4-MP-1474).

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted modification of construction permit which authorized increase in power, change in hours of operation, move transmitter, install new transmitter and directional antenna for day and night use, for extension of completion date from January 20 to March 20, 1942 (B4-MP-1482).

KSEE—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted modification of construction permit for new television broadcast station, to specify commencement date of January 15, 1942 and for extension of completion date from January 15 to July 15, 1942 (B5-MPCT-5).

W2XGE—General Electric Co., Schenectady, N. Y.—Granted license to cover construction permit for new television relay broadcast station, on experimental basis only, conditionally.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted extension of special temporary authority to operate unlimited time, instead of limited time as specified in existing license, for a period beginning January 7, 1942 and ending in no event later than February 5, 1942, provided power is reduced to 100 watts, conditionally.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted modification of construction permit for new equipment, directional antenna, increase in power and change in hours of operation, for extension of completion date from January 20, 1942 to July 20, 1942 (B1-MP-1472).

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted modification of construction permit for move of transmitter, increase in power, install directional antenna for night use, for extension of completion date from January 23, 1942 to March 23, 1942 (B3-MP-1477).

WWPG—Lake Worth Broadcasting Corp., Lake Worth, Fla.—Granted license to cover construction permit as modified for new station (B3-L-1569); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1308).

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted modification of license to use old W.E. D-96021 transmitter as an auxiliary transmitter, with power of 1 KW, for emergency use only (B1-ML-1107).

WHEB, Inc., Portable-Mobile, area of Portsmouth, N. H.—Granted construction permit for new relay broadcast station; **30820, 33740, 35820, 37980 kc.,** 25 watts (B1-PRE-416).

Worcester Telegram Publishing Co., Inc., Portable-Mobile, area of Worcester, Mass.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.,** 50 watts (B1-PRY-266).

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Granted modification of construction permit for new transmitter and extension of commencement date from January 12, 1942, to 30 days after grant (B5-MP-2471).

WHHC—Hampden-Hampshire Corp., Portable-Mobile, area of Holyoke, Mass.—Granted license to cover construction permit which authorized a new relay broadcast station (B1-LRE-371).

WEMS—Westinghouse Radio Stations, Inc., Portable-Mobile, area of Pittsburgh, Pa.—Granted license to cover construction permit which authorized installation of new transmitter and increase in operating power from 15 to 25 watts (B2-LRE-369).

W45V—Evansville On The Air, Inc., Evansville, Ind.—Granted license to cover construction permit, as modified, which authorized a new high frequency broadcast station (B4-LH-4).

WHKC—United Broadcasting Co., Columbus, Ohio.—Granted special temporary authority to operate additional time from 10 p. m., EST, to the conclusion of the Louis-Baer heavyweight championship boxing bout on January 9, 1942, in order to broadcast said bout, only.

WHCU—Cornell University, Ithaca, N. Y.—Denied request for special temporary authority to operate additional time daily from January 7 to February 5, 1942.

W75NY—Metropolitan Television, Inc., New York, N. Y.—Granted modification of construction permit for new high frequency broadcast station, for extension of commencement and completion dates from May 6, 1941 and November 6, 1941 to January 1, 1942 and June 30, 1942, respectively (B1-MPH-49).

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1311).

WMT—Iowa Broadcasting Co., Cedar Rapids, Iowa.—Granted authority to determine operating power by direct measurement of antenna input (B4-Z-1316).

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted authority to determine operating power by direct measurement of antenna input (B1-Z-1324).

KOD—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—Granted authority to determine operating power by direct measurement of antenna input (B5-Z-1286).

WINS—Hearst Radio, Inc., New York, N. Y.—Granted authority to determine operating power by direct measurement of antenna input, for special temporary authorization (B1-Z-1289).

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted construction permit to make changes in auxiliary transmitting equipment (B2-P-2410).

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Granted license to cover construction permit for changes in transmitting equipment (B4-L-1580).

KFI—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted special temporary authority to operate the 5-KW auxiliary transmitter between the hours of 12 midnight and 6 a. m., PST, daily, for a period not to exceed 30 days, in order to permit necessary servicing of the 50-KW main transmitter.

WOI—Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa.—Denied request for special temporary authority to operate additional time on January 7, 10, 19, and 31, 1942.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted petition for leave to amend application to request operation on **850 kc.,** 1 KW night, 5 KW day, unlimited time, on condition that the amendment is filed within 14 days; application removed from Docket.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted motion for continuance of hearing now set for January 14, 1942, to February 27, 1942, in re application for construction permit to change operation from **1240 kc.,** 250 watts, unlimited, to **580 kc.,** 1 KW, unlimited, directional antenna night.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted petition for leave to intervene in hearing on application of Midstate Radio Corp., Utica, N. Y., for construction permit for new station to operate on **1470 kc.,** 1 KW, unlimited, using directional antenna day and night.

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—At request of petitioner, passed petition for leave to intervene in rehearing on application of Durham Radio Corp. (WDNC), Durham, N. C., for construction permit to install new equipment, change from **1490 kc.,** 250 watts, unlimited, to **620 kc.,** 1 KW night, 5 KW day, unlimited, using directional antenna day and night; to be brought back up on notice from petitioner.

WWJ—The Evening News Assn., Detroit, Mich.—Granted petition to postpone hearing date now set for January 16, 1942, to February 24, 1942, in re application of Drovers Journal Publishing Co. (WAAF), Chicago, Ill., to operate on **950 kc.,** 1 KW, unlimited time, using directional antenna night.

John R. Crowder, tr/as Dimple Broadcasting Co., Columbia, Tenn.—Granted motion for leave to amend application for construction permit for new station so as to request **1340 kc.,** 250 watts, unlimited time, on condition that amendment is filed within 2 weeks; removed from hearing docket.

WHEB—WHEB, Inc., Portsmouth, N. H.—Denied request for extension of special temporary authority to operate additional time from January 7 to not later than February 5, 1942.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted special temporary authority to operate unlimited time with power of 5000 watts daytime and 1000 watts nighttime, using transmitter and south tower of antenna system located on Dixie Highway, State Road 27, 2 miles from city limits, northwesterly direction from Chattanooga, Tenn., for a period not to exceed 30 days, pending completion of construction in accordance with construction permit as modified, provided frequency and modulation monitors are in operation at new site on commencing operation and that transmitter is adjusted to within five cycles of assigned frequency during experimental period.

K53LA—Standard Broadcasting Co., Los Angeles, Calif.—Granted special temporary authority to operate commercially on **45300 kc.,** power of 1 KW, special emission for frequency modulation, using temporary antenna, with temporary transmitter located near Lookout Mountain Road, Los Angeles County, Calif., for period not to exceed 30 days, pending completion of construction in accordance with construction permit as modified.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted modification of construction permit, as modified, for new transmitter, directional antenna for day and night use, increase in power, changes in frequency and move, for extension of completion date from January 6, 1942, to April 6, 1942.

KOIN—KOIN, Inc., Portland, Ore.—Granted special temporary authority to operate main transmitter of Station KALE as a duplicate main transmitter for Station KOIN during the test period from 1 to 6 a. m., for a period not to exceed 30 days, in order to permit necessary servicing of KOIN's transmitter.

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—Granted special temporary authority to operate 1 KW auxiliary RCA 1-DA transmitter for a period not to exceed 30 days, pending action on formal application for license.

WRUF—University of Florida, Gainesville, Fla.—Denied request for extension of special temporary authority to operate unlimited time for a period beginning January 10, 1942, and ending not later than February 8, 1942.

Columbia Broadcasting System, Inc., Brentwood, L. I., New York. —Waived Sec. 4.45 of the rules to permit use of equipment of WCBX, now licensed to CBS, for auxiliary purposes with stations WCBX and WCRC with 10 KW power, pending removal of WCBX and increasing power of latter to required minimum of 50 KW. Permittee is now conducting program tests over WCRC, which has supplanted WCAB. Frequencies involved are **6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520** and **21570 kc.,** sharing time on all with WCRC and WCBX and, in addition, sharing time on **6060 kc.** with KWID.

KSFO—The Associated Broadcasters, Inc., San Francisco, Cal.— KPQ—Westcoast Broadcasting Co., Wenatchee, Wash.— Denied petition of KSFO for rehearing directed against Commission action of August 22, granting without hearing application of KPQ for construction permit (B5-P-3150) to install new transmitter and antenna, change frequency from **1490** to **560 kc.,** and increase power from 250 watts to 500 watts night, 1 KW day; the Commission on its own motion, modified KPQ's authorization so as to permit use of **560 kc.** with 5 KW power, unlimited time, employing directional antenna day and night to protect KVI, KSFO and KLZ within certain limitations, provided that within 60 days KPQ file application for such modification of its construction permit, and without prejudice to KPQ filing request for special service authorization to operate with 500 watts night 1 KW day, conventional antenna, on **560 kc.,** pending construction of the 5 KW antenna and directional antenna.

WLBC—Donald A. Burton, Muncie, Ind.—Granted special temporary authority to move studio to south of Muncie, and operate with studio at new location from January 12 to not later than February 10, 1942, pending filing of formal application for same.

W1XTG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Granted extension of special temporary authority to operate high frequency broadcast station on **43400 kc.,** 1000 watts, special emission for frequency modulation, maximum band width not over **200 kc.,** from January 28 to not later than March 29, 1942, at Shrewsbury St., Worcester, pending action on application for new FM station.

W69PH—WCAU Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate commercially on **46900 kc.,** 10 KW, special emission for frequency modulation, using temporary horizontal half-wave antenna mounted on roof of building, transmitter at 1616 Walnut St., from January 16 to not later than March 1, 1942, pending completion of construction.

WNBZ—Upstate Broadcasting Corp., Saranac Lake, N. Y.— Granted special temporary authority to operate additional time January 30, 1942.

KXA—American Radio Telephone Co., Seattle, Wash.—Granted extension of special temporary authority to operate with transmitter at Second and Union Streets, Seattle, Wash., in lieu of site specified in existing license, from January 16 to not later than February 14, 1942, on sustaining basis only.

WHKC—United Broadcasting Co., Columbus, Ohio.—Granted special temporary authority to operate additional time from 10 p. m., EST, to conclusion of Zivic-Robinson bout on January 16, 1942, in order to broadcast said bout only.

WDNC—Durham Radio Corp., Durham, N. C.—Granted motion to continue hearing now set for January 29, 1942, on application for construction permit (Docket 6209); hearing continued until March 30, 1942.

APPLICATIONS FILED AT FCC

550 Kilocycles

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Construction permit to change frequency from **550** to **940 kc.,** increase power from 1 KW night and 5 KW day to 50 KW day and night, install new transmitter and new directional antenna for night use, and change transmitter location from St. Louis, Missouri, to Illinois State Highway No. 159, 4 miles South of Belleville, Illinois, and request that WTAD be transferred from **930** to **550 kc.,** unlimited time. Amended: to request change of transmitter site to 5 miles South of Belleville, Illinois.

570 Kilocycles

KUTA—Jack Powers, Frank G. Carman, David G. Smith, Grant Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Modification of construction permit (B5-P-2342) as modified, for installation of new transmitter and directional antenna for day and night use, change in frequency, increase in power, and move, requesting changes in directional antenna for day and night use, increase in power to 5 KW day and night, and extension of commencement and completion dates from 9-27-41 and 3-26-42 to 30 days after grant and 180 days thereafter, respectively.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.— License to use old RCA 1-G transmitter as an auxiliary transmitter, with power of 1 KW, for emergency use only.

580 Kilocycles

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Construction permit to make changes in directional antenna, for use of FM station, contingent on grant of B1-PH-29.

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—License to cover operation of 1 KW amplifier of Type 5-D-1 main (5 kw) transmitter, for use as second auxiliary transmitter, power of 1 KW, using directional antenna, for emergency purposes only.

KMJ—McClatchy Broadcasting Company, Fresno, Calif.—Construction permit to move transmitter from Ventura at Fowler St., 5½ miles East of Fresno, Calif., to Madera & North Aves., Kerman, Calif., and install directional antenna for day and night use.

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—License to cover construction permit (B1-P-3019) as modified, for increase in power from 1 KW night and 5 KW day, using directional antenna, to 5 KW, unlimited time, using directional antenna, and make changes in directional antenna for day and night use.

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Authority to determine operating power by direct method.

680 Kilocycles

KWK—Thomas Patrick, Inc., St. Louis, Missouri.—Construction permit to change frequency from **1380** to **680 kc.,** increase power from 1 KW; 5 KW-LS to 50 KW, night, and 50 KW day, install new equipment, and directional antenna for day and night use, move transmitter from Water Works, Conduit & Logan Sts., St. Louis, Missouri, to 10 miles South of St. Louis, near Bixby, Ill. Amended: to request power of 25 KW night and 50 KW day and make changes in directional antenna.

790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Modification of license for increase in hours of operation. Amended: to specify increase in hours of operation from specified hours to unlimited time.

930 Kilocycles

WKY—WKY Radiophone Company, Oklahoma City, Okla.—Modification of construction permit (B3-P-3114) for installation of directional antenna and move of transmitter, using power of 5 KW day and night, requesting extension of completion date from 1-20-42 to 7-20-42.

1020 Kilocycles

KDKA—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Construction permit to make changes in equipment.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Modification of construction permit (B5-P-2783) for new equipment and increase in power, requesting extension of completion date from 1-31-42 to 4-1-42.

WBZ—Westinghouse Radio Stations, Inc., Boston, Mass.—Construction permit to make changes in transmitting equipment.

NEW—Fred Jones, Mary Eddy Jones, and W. E. Hightower, d/b as Fred Jones Broadcasting Company, Tulsa, Oklahoma.—Construction permit for a new station, on **740 kc.,** 25 KW; 50 KW-LS, unlimited time. Amended to request **1030 kc.,** contingent on station KOB, releasing **1030 kc.,** and make changes in proposed D.A. system, also requesting 50 KW power day and night. Directional antenna to be used at night only.

1150 Kilocycles

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—License to cover construction permit (B4-P-3299) to move old licensed transmitter to site of new transmitter, power of 1 KW, for emergency use only.

1230 Kilocycles

WCAX—Burlington Daily News, Inc.—Burlington, Vermont.—Modification of construction permit (B1-P-3082) as modified, for move of transmitter, installation of new transmitter, increase in power and change in frequency. Installation of directional antenna for day and night use, requesting extension of completion date from 1-6-42 to 4-6-42.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Construction permit to install duplicate main transmitter in accordance with provisions, Rule 3.64.

KVOS—KVOS, Inc., Bellingham, Wash.—Special service authorization to operate on **790 kc.,** 250 watts, unlimited time, for period ending 10-1-42.

1240 Kilocycles

WPAX—H. Wimpy, Thomasville, Ga.—License to cover construction permit (B3-P-3344) for installation of new transmitter.

NEW—R. O. Hardin & J. C. Buchanan, d/b as Nashville Broadcasting Co., Nashville, Tenn.—Construction permit for a new broadcast station to be operated on **1240 kc.,** 250 watts, unlimited time, facilities of WSIX when vacated. Amended to change name by adding name of J. C. Buchanan and change applicant from an individual to a partnership.

KOCA—Oil Capitol Broadcasting Association, Kilgore, Tex.—Authority to transfer control of corporation from Mrs. Ruth G. Terry & J. E. Neal to Roy G. Terry by transfer of 90 shares of stock.

1260 Kilocycles

KGGM—New Mexico Broadcasting Co., Inc., Albuquerque, N. M.—Construction permit to install new transmitter, move transmitter, change frequency from **1260** (NARBA) to **590 kc.,** increase power from 1 to 5 KW day and night, and install directional antenna for night use. Amended: re type of transmitter, changes in directional antenna and move of transmitter.

1280 Kilocycles

WDSU—WDSU, Incorporated, New Orleans, La.—Construction permit to reinstate assignment covered by B3-P-2923, as modified, for move of transmitter, increase in power from 1 to 5 KW, and installation of new transmitter and directional antenna for day and night use, which expired 12-1-41.

1340 Kilocycles

NEW—E. Ogden Driggs & Louise Rust Driggs, d/b as Frankfort Broadcasting Co., Frankfort, Ky.—Construction permit for a new station on **1340 kc.,** 250 watts, unlimited time.

KFRE—J. E. Rodman, Fresno, Calif.—License to cover construction permit (B5-P-3289) for a new broadcast station, requesting change of studio location.

1380 Kilocycles

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Modification of construction permit (B4-ML-386) to change power from 1 KW night and 5 KW day to 5 KW day and night and install directional antenna for day and night use, requesting approval of directional antenna for day and night use. Amended: re change in directional antenna.

1390 Kilocycles

KCRC—Enid Radiophone Co., Enid, Okla.—License to cover construction permit (B3-P-3402) to reinstate construction permit (B3-P-2810) as modified, for increase in power, installation of new transmitter and directional antenna for day and night use.

KCRC—Enid Radiophone Co., Enid, Okla.—Authority to determine operating power by direct method.

1600 Kilocycles

NEW—J. A. Eisele, Fort Worth, Texas.—Construction permit for a new broadcast station to be operated on **1400 kc.,** 250 watts, unlimited time.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Acquisition of control by Mutual Savings Life Insurance Company through purchase of 60 shares (40%) common stock from Clarence H. Calhoun, Jr.

NEW—W. J. Harpole & J. C. Rothwell, a Partnership, Plainview, Tex.—Construction permit for a new broadcast station to be operated on **1400 kc.,** 250 watts, unlimited time.

WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—Construction permit to change frequency from **1400 kc.** to **820 kc.,** increase power from 250 watts to 5 KW, install new transmitter, install directional antenna for day and night use, and change transmitter site.

1410 Kilocycles

WING—Great Trails Broadcasting Corp., Dayton, Ohio.—Construction permit to install auxiliary transmitter at Stroop Road, Dayton, Ohio, to be operated with power of 250 watts, for emergency use only.

1430 Kilocycles

KWKW—Southern California Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-P-3108) for a new station, for change in frequency from **1430** to **830 kc.,** and approval of antenna system, and transmitter site at Southeast cor. of Duarte Road & Vista St., Pasadena, Calif. Amended to omit request for change in frequency. Install directional antenna system.

KTUL—Tulsa Broadcasting Company, Inc., Tulsa, Okla.—Authority to install automatic frequency control equipment.

1450 Kilocycles

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Construction permit to change frequency from **1450** to **1170 kc.,** increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use, and move transmitter from San Diego to Berrytown, California.

NEW—Minor E. Bragg & Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.—Construction permit for a new station on **1450 kc.,** 250 watts, unlimited time.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Modification of construction permit (B2-P-3349) for new antenna, move of studio and transmitter; requesting extension of commencement and completion dates from 2-16-42 and 8-16-42 to 2-18-43 and 8-18-43, respectively.

1480 Kilocycles

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new station on **1480 kc.,** 100; 250 watts LS, unlimited time. Amended: to request **1210 kc.,** 250 watts daytime hours of operation. Make changes in antenna.

1490 Kilocycles

WOSH—Howard H. Wilson, Oshkosh, Wis.—Modification of construction permit (B4-P-3110) for a new broadcast station, requesting changes in antenna system, move of studio, and extension of commencement and completion dates from 9-29-41 and 3-29-42 to 60 days after grant and 180 days thereafter, respectively.

WOSH—Howard H. Wilson, Oshkosh, Wis.—License to cover construction permit (B4-P-3110) as modified, for a new broadcast station.

WOSH—Howard H. Wilson, Oshkosh, Wis.—Authority to determine operating power by direct method.

KTBI—Tacoma Broadcasters, Tacoma, Wash.—License to cover construction permit (B5-P-3351) for move of transmitter.

NEW—Green Mountain Broadcasting Corp., Inc., Brattleboro, Vt.—Construction permit for a new broadcast station to be operated on **1490 kc.,** 250 watts, unlimited time.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Construction permit to make changes in equipment and increase power from 100 to 250 watts.

1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Construction permit to install new transmitter and directional antenna for day and night use, increase power from 5 KW to 25 KW night and 50 KW day, change frequency from **1520** to **690 kc.,** make changes in directional antenna, facilities of KGGF. Amended: to omit request to move, make changes in directional antenna for day and night use, requesting 10 KW power and new type transmitter.

FM APPLICATIONS

NEW—The American Network, Inc., New York, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **47900 kc.;** coverage, 8,840 square miles; population, 12,526,151.

W75NY—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PH-52) as modified, for a new high frequency broadcast station, requesting change in type of transmitter.

TELEVISION APPLICATIONS

W6XHH—Hughes Tool Co., Los Angeles, Calif.—Modification of construction permit (B5-PVB-62) as modified, for a new television broadcast station, requesting extension of commencement and completion dates from 4-15-41 and 1-15-42 to 1-15-42 and 1-15-43, respectively.

W6XHT—Hughes Tool Co., San Francisco, Calif.—Modification of construction permit (B5-PVB-63) as modified, for a new television broadcast station, requesting extension of commencement and completion dates from 4-15-41 and 1-15-42 to 1-15-42 and 1-15-43, respectively.

WRGB—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-PCT-11) for a new commercial television broadcast station.

MISCELLANEOUS APPLICATIONS

KFRE—General Electric Co., Schenectady, N. Y.—Authority to determine operating power by direct method.

WCRC—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PIB-26) as modified, for a new international broadcast station.

NEW—David Ashton Brown, Portable-Mobile, Area of Marion, Ohio.—Construction permit for a new Class II Experimental Public Address Relay station to be operated on **310000 kc.,** 1.35 watts power, A3 emission.

WELE—WBNS, Incorporated, Portable-Mobile.—License to reinstate relay broadcast station license which expired 12-1-41.

FEDERAL TRADE COMMISSION ACTION

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Cummer Products Co., 170 Varick St., New York, is charged, in a complaint, with misrepresentation in the sale of its white shoe cleaner "Energine Shoe White." (4667)

Di-Function Company, Inc.—A complaint has been issued charging Di-Function Co., Inc., 2233 North Main St., Fort Worth, Tex., with false advertisement in the sale of "Di-Function," advertised as a treatment for diabetes.

According to the complaint, the respondent advertised in periodical and radio matter that its product is an effective treatment which will cure sugar diabetes; that its use will revive the glands of the pancreas so that they will produce sufficient insulin for the body's needs; and that it will cure long-standing, severe cases of sugar diabetes and make possible the resumption of regular diet, the discontinuance of all medicines, and the enjoyment of a normally well and healthy life. (4666)

Olando Manufacturers—Misrepresentation of the constituent fiber or material content of sweaters is alleged in a complaint issued against Herbert and Irving Nebenzahl, trading as Olando Manufacturers, 1318 Milwaukee Ave., Chicago. (4664)

S. Reiffe & Sons, Inc., trading as Fairmount Merchandise Co. and Crown Mail Order Co., 160-166 Monroe St., New York, are charged in a complaint with misrepresentation in connection with the sale by mail order of worn and previously used articles of wearing apparel, including dresses, overcoats, men's suits, hats and shoes. (4665)

CEASE AND DESIST ORDERS

The Commission last week made public the following cease and desist orders:

E. R. Davis Prescription Company—An order has been issued directing E. R. Davis, trading as E. R. Davis Prescription Co., Bellingham, Wash., to cease and desist from disseminating false advertisements concerning the therapeutic value of a medicinal preparation designated "Davis' Formula No. 7895," offered as a cure or remedy for asthma and hay fever. (4289)

Arthur Jacobson, Upsala, Minn., school teacher who sells courses in eye treatment, has been ordered to cease and desist from misrepresentations in the sale of his courses and of certain devices for the use of those who follow his instructions. (4466)

Stephen Rug Mills—Nathan E. Herzfeld and Saul S. Herzfeld, trading as Stephen Rug Mills, 135 Madison Ave., New York, have been ordered to cease and desist from misleading representations in the sale of rugs. (4222)

STIPULATIONS

The Commission last week made public the following stipulations:

Air Associates, Inc., Bendix, New Jersey, engaged in the sale and distribution of aircraft products and accessories, including casein glue, has stipulated to discontinue the use on labels or in printed matter, or in any other way, of the word "waterproof" or any words of similar import as descriptive of such glue, and from use of the word "waterproof" in any way which may tend to convey the belief that the product is impervious to water or its effects. (3341)

Army-Goods Store—Jack B. and Sylvia S. Davis, trading as Army-Goods Store and Army Store, 123 North Main St., Memphis, Tenn., have made a stipulation to cease employing the word "Army" as part of the trade name used by them in selling in interstate commerce merchandise not procured from the United States Army, and to cease advertising the word "Army" as descriptive of merchandise to be sold unless the word "Army" is used specifically in connection with particular merchandise actually procured from the Army. (3353)

Belmont Products Co., 833 Anthony Wayne Trail, Toledo, Ohio, engaged in the manufacture and sale of tile-type floor covering, has stipulated to cease and desist from representing that the floor covering which it sells as "Belmont Copper Alundum Tile" or any product of similar composition is germicidal or that it will keep floors of dairies, locker rooms, shower rooms, or any other floors germ free; that the organism causing the condition known as Athlete's Foot cannot survive contact with the material, or otherwise representing that it will kill such organism or under usual conditions will prevent the spread of skin infections or of Athlete's Foot; or that the product is fungicidal or that it will prevent or eliminate growth of moss, algae or other forms of fungus in warm, damp places, green houses, conservatories, or elsewhere. (3340)

Brown Fence & Wire Co., Junata St., Cleveland, Ohio, engaged in the mail order sale and distribution of merchandise, including garden hose, has stipulated that it wili cease and desist from use of the term "3-Ply" as descriptive of garden hose which is not constructed of three layers of cotton duck, or of the term "5-Ply" as descriptive of garden hose which does not contain five layers of cotton duck; and from use of the word "ply," either alone or in connection with a designated number or numeral, so as to convey the belief to purchasers that the garden hose contains an indicated number of plies, each ply consisting of a separate layer of cotton duck. If the hose has incorporated therein one or more braided reinforcements, and the word "ply" is used to refer to such braided reinforcement, then the word "ply" shall be immediately accompanied by the word "braided" printed in equally conspicuous type so as to indicate clearly that the ply in the hose is braided. (3346)

Electric Heat Appliance Company—Madeline K. Tuttle, trading as Electric Heat Appliances Co., Adrian, Mich., has made a stipulation to cease representing that her "Lightning Speed Electric Water Heater" or similar device is so constructed that it can be used constantly without overheating. The respondent also agrees to desist from representing, by statements such as "Complete with 7 feet of Underwriters Approved rubber covered cord and plug," that a cord not in fact suitable for the requirements of an electric water heater has been approved by Underwriters Laboratories, Inc., or other recognized institution, for such particular purpose, and that such device or any article of similar construction does or can soften water. The respondent further stipulates that she will cease disseminating advertisements which fail to reveal that extreme care must be exercised in the use of her water heating device or any article of similar construction, due to potential fire hazard from overheating and potential shock hazard from careless handling. (3349)

Father John's Medicine Co., Inc., 73 Market St., Lowell, Mass., formerly known as Carleton & Hovey Co., stipulated that it will cease representing "Father John's Medicine" as a remedy or effective treatment for colds or bronchial or throat irritations; as being rich in vitamins other than vitamins A and D and as being capable of increasing one's appetite. The respondent company also agrees to desist from advertising that its preparation will build resistance to bronchial or throat irritations or have any value in the preventive treatment thereof except to supply vitamin A in those instances where the resistance of the body is low due to an insufficient supply of such vitamin in the daily diet. The respondent's stipulation supplements Stipulation 0958 previously accepted by the Commission from Carleton & Hovey, Inc., although Stipulation 0958 remains in full force and effect with the exception of two of its inhibitions. (02935)

Garden City Publishing Co., Inc., Rockefeller Center, New York, engaged in the publication and sale of books, of which one line is designated "Blue Ribbon Books" and another "Halcyon House Edition," has stipulated that, in connection with the sale and distribution of a book designated "High School—Self Taught," or any similar publication, it will cease and desist from certain representations. (3345)

Gibson Studios, Inc., 58 East Washington St., Chicago, engaged in the sale and distribution of photographs, has entered into a stipulation to discontinue use of the words or terms "hand-painted in oils," "hand-paint" or "painted," either alone or in conjunction with other words or terms, to describe colored or tinted photographs or pictures produced from a photographic plate, film, base or impression; and from substituting for an oval shaped picture frame depicted in an advertisement a frame of rectangular shape or differing in any other material respect from the frame so advertised. (3343)

F. A. Hughes Co., Inc., Rochester, N. Y., advertising agency, entered into a stipulation to cease disseminating certain representations concerning "Orangeine," a medicinal preparation offered for the relief of simple pains and aches, headaches and neuralgia, sold by Kemp & Lane, Incorporated, LeRoy, N. Y. The respondent agency agrees to cease disseminating advertisements which fail to reveal that the preparation should not be used in excess of the dosage recommended; that its frequent or continued use may be dangerous, causing collapse or a dependence on the drug acetanilid contained therein; and that it should neither be taken by nor administered to children; provided, however, that the advertisements need only contain the statement, "Caution, use only as directed." if and when the directions, appearing on the label and in the labeling, contain a caution or warning to the same effect. (02933)

Ben Kalish, 330 Seventh Ave., New York, engaged in the manufacture and sale of fur garments, has stipulated to cease and desist from advertising, branding, labeling or invoicing fur garments made from kidskin as "Caracul" coats or garments; from use, in advertisements or on labels, tags, brands or otherwise of any designation or representation of any fur which deceptively conceals the true name or nature of the fur, with the tendency and capacity of misleading, or deceiving purchasers; describing furs in any other way than by use of the correct name of the fur as the last word of the description, and when any dye or blend is used in simulating another fur, the true name of the fur appearing as the last word of the description shall be immediately preceded by the word "dyed" or "blended," compounded with the name of the simulated fur, all such descriptive words to be printed in equally conspicuous type and on a single line, as "Silak Seal-Dyed Coney" or "Silak Beaver-Dyed Coney"; and from use of any trade name such as "Sealine," "Beaver Coney," "Mink-Marmot" or other trade designation in a manner calculated or having the capacity to mislead purchasers or the consuming public as to the character, name, nature or geographical or zoological origin of any fur or fur product or a product made partly of fur, or in any other material respect. (3348)

Lanzette Laboratories—Edward A. Hochbaum, trading as Lanzette Laboratories, Annette Lanzette and Lanzette, Merchandise Mart, Chicago, engaged in selling a device for the removal of superfluous hair designated "Lanzette," has stipulated to cease and desist from representing, through use of the words "rid," "gone," "disappeared," "overcome" or similar expressions in connection with the removal of superfluous hair from the body, that the device will permanently terminate the growth of superfluous hair, or otherwise representing a definite termination of hypertrichosis; or that, through the use of the device, one will have a clearer complexion, or otherwise representing that use of the device will have a beneficial effect upon the skin or the appearance of the skin, in excess of a transient glow or ruddiness. (02932)

Lycoming Hosiery Mills—Samuel I. Burd, trading as Lycoming Hosiery Mills, 385 Fifth Ave., New York, sales agent for Burdwin Hosiery Mills, with plants located in Pottstown and Williamsport, Pa., and engaged in the sale and distribution of its hosiery products, has stipulated to cease and desist from use of the word "Nylon" in any manner so as to imply that hosiery or other merchandise composed of other materials is woven from Nylon fibers, and from branding, labeling or advertising such product by featuring the word "Nylon," or separation of words or terms to connote different phrases—one applicable to the stocking as a whole and the other to the type of toe thereof—with the capacity, tendency or effect of creating the belief among purchasers that his stocking with only a Nylon elastic toe is actually a Nylon stocking with an elastic toe, or contains any Nylon aside from that in the toe; and from use of the word "Mills" as part of the trade name by which he conducts his individual business of factor or manufacturer's agent, and of the word "Manufacturers" as descriptive of such merchandising business, and from use of other words of similar implication connoting, contrary to the fact, that the customer is dealing directly with the mills wherein such hosiery is manufactured and not with a middleman. (3342)

Meryle Publishing Company—Michael Cohen and Frances Cohen, trading as Meryle Publishing Co., 121 West 19th St., New York, engaged in the publication of greeting cards, have stipulated to cease representing that a fragment of stone or other object attached to a greeting card sold by them is a "Blarney Stone" or "a piece of genuine stone from the original Blarney Castle" or "a piece of guaranteed genuine stone from the original Blarney Castle in Dublin, Ireland," or is the Blarney Stone brought by them "to the consumer"; designating as "Blarney Stone" a piece of crude or rough limestone taken from a quarry, or in any way representing that such fragment was a part of the Blarney Stone or has come from the walls of Blarney Castle, or will bring to the possessor the "luck" or other advantages traditionally associated with the historic Blarney Stone; representing that such fragment is guaranteed or that its genuineness has been verified or otherwise confirmed or certified by a United States Consul or by any other person whatsoever, or using any delusive, artful or adroit statement having the capacity or tendency to mislead purchasers or cause the belief that such fragments were actually taken from the real Blarney Stone; representing that an affidavit certifying a shipment of crude limestone as having been quarried from a ledge in Blarney, County Cork, is an affidavit that fragments of such limestone were part and parcel of the specific Blarney Stone embedded in Blarney Castle; and stating that an affidavit regarding such limestone was "signed by" a United States Consul, or referring to an officer of the United States Government in any manner so as to assert, import or imply that he has made an affidavit or has, formally or informally, certified the truthfulness of a statement merely sworn to before him in his official capacity. (3344)

Model Hat Co., 163 North Wabash Ave., Chicago, engaged in the manufacture and sale of women's hats, has stipulated to cease representing that hats composed in whole or in part of used or second-hand materials are new or are composed of new materials by failure to stamp on the exposed surface of the sweat bands, in conspicuous and legible terms which cannot be removed or obliterated without mutilating the sweat bands, a statement that the products are composed of second-hand or used materials, provided, that if sweat bands are not affixed to such hats then the stamping must appear on the bodies of the hats in conspicuous and legible terms which cannot be removed or obliterated without mutilating the bodies; and to cease representing in any manner that hats made in whole or in part from old, used or second-hand materials are new or are composed of new materials. (3347)

Mount Airy Knitting Co., Mount Airy, N. C., has made a stipulation to cease certain representations in the sale of knitted underwear. According to the stipulation, the respondent featured the name "Dr. Spencer's Sanitary Underwear" in its trade literature and sold products under that brand when in fact no doctor is connected with the respondent's business and its garments are not made under the supervision and advice of a physician, as implied. The respondent agrees to cease employing the abbreviation "Dr." or the word "Doctor," either with or without the name "Spencer," or other word connoting a doctor or physician in connection with or as part of a trade designation for its garments. (3355)

C. Wendel Muench & Company—C. Wendel Muench, trading as C. Wendel Muench & Co., 210 East Ohio St., Chicago, an advertising agency, has made a stipulation to cease certain representations in the sale of "Gaines Dog Meal," also known as "Gaines Dog Food" and "Gaines," a product sold by Gaines Food Co., Inc., Sherburne, N. Y. The respondent agency agrees to cease disseminating advertisements representing that Gaines Dog Food will prevent skin troubles in dogs, unless the troubles are of nutritional origin; that Gaines Foods will make pups more true to type, and will reduce feeding costs by 50 per cent or effect any definitely stated percentage savings when compared with other dog foods of similar type. (02934)

Pennex Products Co., Inc., 1639 Forbes St., Pittsburgh, manufacturer of pharmaceuticals, flavoring extracts and toiletries, stipulated to cease representing that purchasers do not pay freight on Pennex merchandise or that merchandise bought for a price which actually includes an undisclosed charge for freight is received by the purchaser without cost of freight. The respondent company further agrees to desist from representing that Pennex merchandise always exceeds rigid Government regulations in its purity and quality; that mineral oil and milk of magnesia which it sells surpasses the United States Pharmacopeia requirements; that its imitation vanilla flavoring is 33⅓ per cent stronger than purported "Federal requirements"; and that absorbent cotton or bandages sold by it will remain sterile after removal from the container. (3352)

Phillips Secret Service—Robert B. Phillips, Sr., trading as Phillips Secret Service and as Phillips Secret Service System, 1917 North Kenneth Ave., Chicago, engaged in the sale and distribution of a correspondence school course of instruction in detective training, has stipulated to cease representing that the demand for trained detectives exceeds the supply, or in any other manner overstating the employment opportunities for detectives; from representing that his course of instruction furnishes or provides knowledge comparable to that acquired by years of actual experience, or that the completion of the course will, of itself, qualify a person for a position as a competent detective; from representing that the pay or remuneration received by detectives is in excess of that received by persons in other professions or fields of employment generally, or representing, by means of comparisons or in any other manner, that the customary or regular salary or remuneration received by detectives is in excess of their actual salary or remuneration; and from making other deceptive or misleading statements or representations concerning the character, nature, quality, value or scope of the course of instruction sold or offered for sale by him with a tendency or capacity to mislead or deceive students, prospective students or the public. (3339)

Seidlitz Paint & Varnish Co., 18th and Garfield Sts., Kansas City, Mo., stipulated to cease representing, directly or inferentially, that the United States Government or any department or agency thereof, has tested its paint or purchased or used it as a result of such tests. The respondent company further agrees to desist from use of the words "Best By Test" or words of similar meaning in any manner so as to imply that the Government has conducted tests of various paints and as a result has determined that the respondent's products are the best of those tested. (3351)

Staley Milling Co., Kansas City, Mo., engaged in selling poultry products designated "Staley Four Bells Growing Mash," "Staley Four Bells Grower Pellets," "Master Growing Pellets," "Master Growing Mash," "Master Chick All Mash," and "Master Chick All Mash Pellets," has stipulated to discontinue representing that any of the products or any combination of them produces chicks of any definite weight or quality within any definite or specified period of time; or enables the user to count upon any definite percentage or proportion in raising chicks. (02931)

Trugerman & Peck, Inc., 305 Seventh Ave., New York, engaged in the manufacture and sale of fur garments, has stipulated to cease and desist from invoicing or otherwise designating or referring to coats or other articles manufactured from the peltries of Bessarabian lambs or other lambs not full breed or pure bred Persians as "Grey Persian Lamb" or "Gray Persian Coat," or as Persian, and from advertising, offering for sale, selling, branding, or otherwise representing furs as the product of a true species or breed of animals, unless such fur has been obtained from a true species or breed of animals. (3338)

Western Auto Stores, operator of a chain of retail stores with headquarters in Kansas City, Mo., stipulated to cease employing the terms "Triple-Plied," "Three-Ply" or "5-Ply" as descriptive of garden hose which is not constructed, respectively, of three or five layers of cotton duck. If, according to the stipulation, the hose has incorporated therein one or more braided reinforcements, and the word "ply" is used to refer to the braided reinforcement in the hose, the word "ply" shall be immediately accompanied by the word "braided" printed in equally conspicuous type so as to indicate clearly that the ply in the hose is braided. (3350)

FTC CASE CLOSED

The Federal Trade Commission has closed its case against Terpezone, Incorporated, 738 Washington Blvd., Chicago, which had been charged in a complaint issued by the Commission with misrepresenting the therapeutic value of a device called "Terpezone Generator," which produces a vapor for use in the treatment of various ailments.

The case is closed without prejudice to the right of the Commission to reopen it should future facts so warrant.

Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 4, January 23, 1942

SELECTIVE SERVICE

Stations threatened with losing licensed operators to the draft whom they will find it difficult if not impossible to replace are urged to supply the following information to NAB after exhausting procedure for appeal previously indicated in NAB Reports. In requesting NAB to request immediate investigation by Selective Service Headquarters of such cases, give the engineer's full name, number and location of his local draft board, state whether he is a first or second class operator, and give complete summary of steps taken to secure his temporary deferment.

By careful attention to these instructions valuable time will be saved, as well as wire expense.

DAYLIGHT-SAVING TIME

One hour, uniform nation-wide daylight-saving time goes into effect at 2:00 A. M., Monday, February 9, for the duration of the war.

AUTOMOBILE TIRES

Recognizing that many stations whose transmitters are located at a remote distance from their studios will ultimately be faced with the problem of transporting engineers to and from the transmitter, the NAB has laid the whole matter before the Office of Price Administration. Radio broadcasting is not covered by the nine classifications entitled to secure automobile tires. It is learned that at some later time, when the situation has become acute and the entire rubber situation better clarified, some measure of relief may possibly be forthcoming. The OPA is faced with similar situations in railroading where control tower operators live at a distance from the control towers on the railroad; in war industries where the workers' homes are designedly located at some distance from the plant so that if the plant is blown up, the skilled workers will not be blown up with it; in the canning industry where the government has requested that the pack be increased 25%, and field men inspecting crops have to get around; and in an almost interminable list of other work vitally necessary to the national defense and the national welfare. The government indicated that a possible solution, when the need becomes acute, might be for such stations to operate station wagons or other vehicles solely for the purpose of jitneying engineers to remotely located transmitters in those areas where other means of transportation is unavailable.

Meanwhile, the entire matter is being given the earnest consideration of the Office of Price Administration. For the time being station managers should exercise their best ingenuity to get their engineers to and from the transmitters with the maximum saving of rubber. Possible ways and means are doubling up, recapping of tires, domiciling of engineers at the transmitter and, of course, wherever possible using other available means of transportation. The shortage of rubber is so acute and the military needs for it are so urgent that the basic policy of the OPA seems to be to reserve every possible pound of rubber for the most urgent needs. The situation is something like that of a man shipwrecked and floating at sea on a raft who has one jug of water and doesn't know when he is going to sight a ship or reach land. He naturally gets along on just as little water a day as is possible to sustain life. Broadcasters facing this problem can rest assured that the NAB has placed the complete problem before the OPA and has received assurance that it will receive the consideration it merits as one pertaining to a defense industry. NAB will follow this up.

CHICAGO MEETING

A meeting was held in Chicago on Friday, January 16, of those representing the industry trade groups. Those present were: Neville Miller, NAB; George Storer, NIB; Eugene Pulliam, NAI; John Shepard, III, FM, Inc.; and James Shouse, Clear Channel group, acting in place of Edwin W. Craig, who was unable to attend because of work on the Selective Service Board; Chairman James Lawrence Fly; John Fetzer; and Walter Damm.

There was a general discussion of the War-Time Code and of the desirability of creating an Industry War Board to be elected by the industry. No definite action was taken and it was agreed to meet again for further discussion of the various subjects.

DCB COMMITTEE MEETS

The Domestic Broadcasting Committee of DCB met Tuesday. The NAB was represented by Neville Miller, Chairman, and Lynn Smeby, NAB engineering director.

RICHARDSON APPOINTED

John H. Ryan, Assistant Director of Censorship, announced the appointment of Stanley P. Richardson, Coordinator of International Broadcasting, as an aide in his radio division.

Richardson has been given a leave of absence by the American short wave broadcasting industry to enable him to accept the Government post.

TELEGRAPH WEATHER REPORTS

We recently sent to all stations a confidential bulletin respecting the manner in which special weather bulletins would be transmitted by Western Union Telegraph. We are now advised that the Postal Telegraph Company has agreed to perform the service in a similar manner and to authenticate all special weather bulletins at the source.

NAB REPORTS BINDERS

The order for the binders for the 1942 NAB Reports was placed in ample time under ordinary manufacturing conditions for them to have been delivered to all stations prior to the first of the year. Due, however, to priority on materials needed a delay was occasioned at the manufacturing plant. We are assured that all will have been mailed to the stations by the end of this week. We regret the delay.

INDUCTION INFORMATION

Names of registrants about to be inducted into the armed forces may be furnished newspapers and newspapers may print these

(Continued on page 38)

NAB LIBRARY

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

INDUCTION INFORMATION

(Continued from page 37)

names, Brig. Gen. Lewis B. Hershey, Director of Selective Service, has advised all State Directors.

In a telegram to the State Directors, General Hershey advised that the matter of restricted information, which had included the names of selectees in accordance with War Department policy, had been reconsidered to permit the furnishing to newspapers of "the names of registrants about to be inducted." *No information may be given out, however, with respect to the number of men covered by quotas and calls.*

The War Department has advised NAB that "insofar as the War Department is concerned, there are no objections to names (no totals) being made public by radio, locally, as well as by newspapers."

WARTIME ENGINEERING CONFERENCE

The Broadcast Engineering Conference of 1942 will be held during the period Monday through Friday, February 23 to 27, on the campus of the Ohio State University at Columbus, Ohio. The Conference this year will be devoted almost entirely to problems with which the broadcast engineer will be confronted due to the war.

The ordinary problems of the engineers have been augmented by many new ones introduced by the emergency. The introduction of these new procedures and plans, which must be made for any eventuality, make it particularly important for the broadcast engineers to meet in discussions led by those men who have been making an exacting study of these problems.

Mr. E. K. Jett, Chief Engineer of the Federal Communications Commission and Chairman of the important Coordinating Committee of the Defense Communications Board, will open the session with a discussion of the many problems confronting communication engineers under the present situation.

The panel on Broadcast Station Operation Under Wartime, which has been organized by Mr. Smeby, will discuss subjects such as priorities and procurement; fire fighting and property protection; telephone lines; battery operated equipment for emergency use; radio broadcast silencing system; temporary and auxiliary antennas; and emergency equipment.

Members of the panel will be Frank Cowan, A T & T; J. D'Agostino, NBC; Raymond F. Guy, NBC; R. V. Howard, KSFO; William Lodge, CBS, and Andrew D. Ring, Consulting Engineer.

All of the members of the panel, with the exception of Mr. Howard, have participated in the work of various committees of the DCB and therefore have given extensive consideration to the subject matter of the panel. Mr. Howard has already had experience with the application of precautions as they have been taken on the Pacific Coast since the declaration of war.

Mr. Frank Cowan, Transmission Engineer for the A T & T, has been instrumental in installing Interceptor Command Information Centers and special defense communication networks. Mr. Ring is secretary of the Domestic Broadcasting Committee of the DCB.

One of the outstanding applications for broadcast facilities in time of emergency which has taken place in this country was the work done by WHAS during the Ohio River flood which engulfed a large portion of the city of Louisville. The experience which this emergency taught contains many lessons which can be applied to problems on national defense and will be discussed by Mr. Towner, Chief Engineer of that station.

Mr. Gerald Gross, Assistant Chief Engineer of the FCC, recently made a trip to England to study the operation of broadcast stations there. The report which he gives will be both interesting and instructive.

Mr. Karl Troeglen of station WIBW will lead a discussion on engine driven emergency power plants. The installation of such emergency equipment has just been made in both the studio and transmitter at that station.

In times of emergency the use of radio links for various purposes becomes important. Mr. Daniel Noble who has done important work in the development of FM police systems will discuss the operation of Mobile FM equipment and Mr. Jack DeWitt of station WSM will cover the subject of studio transmitter links and high frequency antennas.

Mr. K. S. Van Dyck, President of the Institute of Radio Engineers, will discuss the application of the alert calling system in wartime.

Increasing difficulty in obtaining repair materials, and changing of personnel due to induction into the armed forces, aggravates the problem of proper transmitter maintenance under wartime conditions. Mr. Charles Singer, of WOR, prominent exponent of organized transmitter maintenance, will lead a roundtable discussion on this subject.

The Recording and Reproducing Standards Committee, coordinated by the National Association of Broadcasters, was formed last June. Although the work of the Committee has not been entirely finished, nevertheless, enough of the important items have been standardized so that engineers can begin to make their equipment conform to the standards. Mr. Howard Chinn, Engineer of CBS in charge of audio facilities and a member of the RRSC, will discuss the standards and point out the modifications that must be made in existing equipment.

The problem of the training of engineers and technicians for replacement and the assistance which broadcast station engineers can give in the training of technicians for the military services will be covered in the roundtable led by Professor Everitt. The other members of the panel will be C. M. Jansky, Jr., Consulting Engineer; Carl Smith, WHK; and Fritz Leydorf, WLW.

The Conference will again serve as the Engineering Convention of the NAB. The complete program has been arranged with the advice and assistance of Mr. Lynne C. Smeby, Director of Engineering. This year the Institute of Radio Engineers will also act as a co-sponsor for the session.

The scope of the subjects offered by the Conference is such that the engineers in many activities such as airway and police communication, general receiver and laboratory development, and the military services will find the Conference of interest and are welcome. Correspondence regarding the Conference should be addressed to the director, Dr. W. L. Everitt, Ohio State University, Columbus, Ohio.

ARMY PRAISES NAB

Major William F. Nee, general headquarters, U. S. Army, stationed at the Army War College, likes NAB's War-Time Service Bulletins. He wrote:

> "You are doing a very worthwhile job in acquainting everyone concerned with your policies, and please rest assured of our cooperation in every manner possible. Mr. Kirby's office in the Bureau of Public Relations has been likewise helpful to us."

Major Nee has distributed the War-Time Service Bulletins to Defense Commands and Island Bases.

Technician Training

ALBANY

Harold E. Smith, general manager, WOKO-WABY, Albany, N. Y., has already forwarded his first batch of letters to Dean S. C. Hollister, of Cornell University, Coordinator for upper New York state.

BINGHAMTON

L. H. Stantz, WNBF, Binghamton, N. Y., wrote "we have already sent 126 applications for entrance to the radio course to our State Coordinator, Dean S. C. Hollister, Cornell University, Ithaca.

JAMESTOWN

Radio Technician Training Courses will begin in Jamestown, N. Y., on February 2, according to a note from Simon Goldman, manager, WJTN.

Most details were concluded January 19 at a meeting attended by Dr. Paul B. Orvis and Professor George F. Craig, of Alfred University; Clinton V. Bush, Jamestown Superintendent of Schools; Frederick P. Rogers, secretary of the Board of Education; Mr. Marsh of the high school faculty, and the station's Chief Engineer Harold J. Kratzert.

OTHER CITIES

From the column newspaper story which Mr. Goldman attached it is apparent that Alfred University is going all out for radio instruction. In addition to Jamestown, courses will be given in Olean, Corning, Bath, Hornell, Alfred, Wellsville, and Salamanca with approximately 300 students.

UPPER N. Y. MEETING

Minutes of the NAB Radio Technician Meeting held in Syracuse, N. Y., on January 3, 1942, have just been received from Michael R. Hanna, general manager, WHCU, Ithaca, who served as secretary. The meeting was called by Col. Harry C. Wilder, president, WSYR, Syracuse.

At luncheon W. P. Graham, chancellor of Syracuse University, in furtherance of the cooperative effort of broadcasters and educators, called attention to the fact that we are in war, that we are going to win that war, that we must do everything in our power to insure victory. He stated that radio and the colleges in cooperation are doing a job which is hard to realize. Chancellor Graham said that we can—radio and the colleges—continue to do a remarkable job and with even greater effectiveness once we learn how to cooperate more efficiently. He said we need action now and we are going to provide it, for we must speed up the things that should be done and should have been done a long time ago.

During the afternoon session the group adopted the following resolution, offered by E. A. Brand, of Hartwick College, and seconded by Messrs. McTigue and Powers, respectively of Canisius and Clarkson:

> "We recognize the radio training project as vital to the efforts of the United States and its allies. We are appreciative of the fact that education and radio can go hand in hand in performing the task assigned us. We pledge the full capacity of our support. We pledge our personnel and facilities not necessarily to do what we can but to do the job that must be done regardless of sacrifice. We realize that the task of recruiting and training students in the fundamentals of radio so that our armed forces may, in turn, continue this training and utilize the fruits thereof will require that our two agencies proceed immediately with the job at hand."

Those attending the sessions were:

Colonel Harry C. Wilder, president, WSYR, Syracuse; Dr. Paul B. Orvis, N. Y. S. Technical Institute, Alfred University; G. F. Craig, N. Y. S. Agricultural and Technical Institute, Radio Instruction, Alfred University; Douglas H. Fay, Educational Counselor and Assistant Director ESMDT Courses, University of Buffalo; Austin McTigue, chairman, Department of Physics, Canisius College, Buffalo; A. R. Powers, Professor Electrical Engineering, Director of ESMDT Courses, Clarkson College, Potsdam; C. L. Henshaw, Instructor in Physics, Colgate University, Hamilton; Paul R. Gleason, head of Physics Department, Colgate University, Hamilton; Carl A. Kallgren, Dean of Students, Colgate University, Hamilton; William C. Ballard, Jr., Professor Electrical Engineering in charge Department of Electrical Communication, Cornell University, Ithaca; R. F. Chamberlain, Professor Electrical Engineering, Cornell University, Ithaca; W. B. LaBorde, Cornell University, Ithaca; John F. McManus, in charge of Cornell ESMDT courses in Buffalo; Michael R. Hanna, manager, WHCU, Ithaca; G. Harvey Cameron, Professor of Physics, Hamilton College, Clinton; Alfred C. Haussmann, Department of Physics, Hobart College, Geneva; Marvin J. Pryor, Professor of Physics, Houghton College, Houghton; George B. Banks, Head Department of Physical Science, Niagara University, Niagara Falls; Stanley B. Wiltse, Director of Defense Training, Rensselaer Polytechnic Institute, Troy; E. M. Morecock, Supervisor Electrical Department, Rochester; Athenaeum and Mechanics Institute, Rochester; Fred J. Parrott, Director of Radio Workshop, St. Lawrence University, Canton; E. A. Brand, Hartwick College, Oneonta; William P. Graham, Chancellor Syracuse University, Syracuse; Louis Mitchell, Dean College of Applied Science, Syracuse University; Charles W. Henderson, Professor of Electrical Engineering, Syracuse University; LeRoy Allen Mullin, Assistant Professor of Electrical Engineering, Syracuse University; W. R. Fredrickson, Department of Physics, Syracuse University; John M. Sayles, New York State College for Teachers, Albany; Walter B. Weber, Electrical Instructor and in charge of school, station W8YD and W8UMY, State Teachers' College, Buffalo; Karl B. Hoffman, station WKBW and WGR, Technical Director, Buffalo; K. J. Gardner, station WHAM, Rochester; James J. Kelley, transmitter supervisor, station WFBL, Syracuse; A. G. Belle Isle, chief engineer, station WSYR, Syracuse; Samuel Woodworth, general manager, station WFBL, Syracuse; Arthur Stringer, NAB Defense Secretary, Washington; Lynne C. Smeby, NAB Chief Engineer, Washington; Lt. Comdr. Lewis H. Lee, U. S. N., Washington.

PHILADELPHIA

A meeting of broadcasters and educators in Philadelphia, January 15, laid ground work for large numbers of radio technician training courses. Spot announcements in behalf of the course currently are being broadcast. The meeting was called by W. T. Spivey, Drexel Institute of Technology, Philadelphia.

Educators attending the meeting in addition to Mr. Spivey and Dr. A. M. Sones, his associate, were:

Prof. C. C. Chambers, Moore School, University of Pennsylvania; Prof. W. J. Stevens, Drexel Institute of Technology; Prof. E. O. Lange, Drexel Institute of Technology; Dean Scott B. Lilly, Swarthmore College; Dean Lee N. Rittenhouse, Haverford College; Dean J. Stanley Morehouse, Villanova College.

Ken Stowman, WCAU, acted as secretary of the meeting. Every station in Philadelphia had one or more representatives at the meeting. These included Messrs. Unterberger, WDAS; Nygren, WFIL; Gager and associate, KYW; Harris, WIP; Burtis, WPEN; Hibbs, WTEL; Lewis, WCAU, and Simmons, WCAU.

A similar meeting will be held in the Lehigh Valley area, to be called by Professor F. B. Blank, of Lafayette College, Easton.

OHIO

R. T. Mason, president, WMRN, Marion, Ohio, called at headquarters this week. He said the Marion and surrounding territory would provide large numbers of qualified students for the radio technician training courses. He is working with Ohio Wesleyan. That school, in turn, works through Ohio State University. Ohio Wesleyan will also have a course in Delaware.

Pres. K. C. Leebrick, Kent State University, says: "We are making great progress at Kent . . . we have been given excellent cooperation by WADC. . . ."

At the direction of Professor Harvey E. Nold, Ohio State University, Director of Defense Training, Harold K. Schellenger, director of the University's News Bureau, wrote John F. Patt, Ohio industry representative, on January 14:

"Courses are being started shortly at Ohio State University, Ohio Wesleyan, Dennison, Ashland College, Mt. Union College and

Kent State University and we have undertaken the promotion of all of them."

Later information from R. C. Higgy, director WOSU, added to the above list of schools, Capital University of Columbus, Otterbein and Muskingum University.

With Case School of Applied Science, clearing for 6 other colleges—Wooster, Oberlin, John Carroll, Hiram, Youngstown and Baldwin-Wallace; and with large courses under the wing of the University of Toledo and the University of Akron and with much activity in the Cincinnati sector, Ohio is giving a good account of herself.

A. H. Upham, president, Miami University, Oxford, Ohio, wrote on January 13 that "at our own expense" the University will offer a course similar to the NAB Radio Technician Training Course to students on the campus, with Professor Albaugh as instructor.

MICHIGAN

John E. Fetzer, president, WKZO, Kalamazoo, Mich., has forwarded 208 individual applications made by persons who have indicated an interest in a WKZO radio class. He is continuing the broadcast of spots in accordance with suggestion made by A. J. Fletcher, NAB national defense committee.

INDIANA

Another Chief Engineer will teach radio technician training courses. He is Claude M. Harris, WAOV, Vincennes, Ind. His selection has been OK'd by Professor C. W. Beese, Purdue University. Classes will be held in the Vincennes high school, according to Victor H. Lund, station manager. Sufficient applications have already been received to predict that the classes will be well attended. "We are all ready to commence actual operation of the first course," he said.

VIRGINIA

E. B. Norris, Dean of Engineering and ESMDT Institutional Representative of Virginia Polytechnic Institute, Blacksburg, Va., has filed for two radio technician training courses to be given in Bristol, to be conducted by R. A. Smith, engineer of station WOPI.

TENNESSEE

E. A. Alburty, manager, WHBQ, Memphis, has sent his first day's radio technician training mailing, over 40 inquiries, to State Coordinator Dougherty in Knoxville.

LOUISIANA

John C. McCormack, general manager, KWKH-KTBS, Shreveport, La., says: "We are today mailing Dean Vorhees of Louisiana State University, 481 letters of application for the Radio Technician Training Program."

DISTRICT OF COLUMBIA

Lewis K. Downing, dean, School of Engineering & Architecture, Howard University, and Frank Coleman, professor of Physics, Howard University, Washington, D. C., were visitors this week. After learning of the radio technician training courses under Engineering, Science and Management Defense Training, they asserted that such instruction would soon be under way at their school.

Defense Bond Promotion

WJRD PRESENTS PLAN

J. E. Reynolds, manager, WJRD, Tuscaloosa, Ala., has evolved a method of putting local merchants and commercial radio to work to (1) establish a keen awareness on the part of listeners of the vital importance of regular and concentrated buying of defense bonds and stamps; (2) to enlist successfully the support of local merchants in cooperating in the campaign and in stimulating interest among employees for customers.

The plan is a "Buy Defense Bond Week." It was carried on entirely under station auspices. A contest with prizes totaling $50.00 in bonds and stamps was a part of the plan.

That the plan works and produces in a big way is attested by signed statement of the local postmaster, local bankers and numerous local merchants who sponsored announcements.

Last week the plan and the results of its operation were presented to Treasury officials by Mr. Reynolds. Regarding the success of the plan Henry M. McLeod, postmaster, said:

> "There has been a very marked increase in the sale of both bonds and stamps this week over any previous week's sales. It is believed this increase is due to your campaign of advertising and soliciting the sale of both bonds and stamps. The demands have exceeded our expectations. We have been unable to fill all rquests for bonds due to our inability to secure the bond forms from the Treasury Department."

During December the First National Bank of Tuscaloosa, according to its President, Gordon D. Palmer, sold $40,750.00 of defense bonds. From January 1 to 15, inclusive, the bank sold $54,800.00

President Palmer said: "As evidence of the value of your radio program it is interesting to note that on January 13, 14 and 15 sales amounted to $24,225.00. Today (January 15) we made 85 different sales. We believe your station is doing a remarkable piece of patriotic work."

Howard Hamner, assistant cashier, The City National Bank of Tuscaloosa, wrote on January 15: "You may be interested in the following information regarding the sale of defense bonds by this bank during the past two weeks. The first of the two weeks we sold a large amount in dollars due to one or two large sales; but it has been gratifying to us to notice a much larger number of individuals who have bought bonds during the last week . . . and the sale of these bonds is increasing daily."

PRESENTATION TO MERCHANTS

Following is Mr. Reynolds' three paragraph presentation of the subject to Tuscaloosa merchants:

> "Since 1939, the black clouds of war have hung over all of Europe. Now, since the treacherous attack of the Japanese in the Pacific, our own America is involved in this grim world conflict.
>
> "Our President has asked that we all buy Defense Bonds. However, as during the last war, many people will of their own inertia make no voluntary move to do so. It's up to you and me to do all we can in Tuscaloosa and West Alabama to awaken our citizens' attention to the importance of buying Defense Bonds and Stamps.
>
> "WJRD has designated the week of January 12 to 17 as 'Buy Defense Bonds Week,' and is soliciting the support of all merchants of Tuscaloosa and West Alabama in the task of making our people more conscious of the perils of the dictators. Hitler has included America in his list of countries to rule or destroy . . . not so in America! Let's buy Defense Bonds and Stamps and whip the h— out of Hitler and the Japs!"

Then there was a special delivery to 260 merchants and some leg work to secure their formal participation in the sponsored campaign. The letter follows:

> "Secretary Morgenthau, in his radio address Sunday night, emphasized that nation-wide participation in payroll savings is most essential to the defense saving program and to our war effort. All employers and employees must be encouraged to set aside voluntarily each pay day money for Defense Bonds and Stamps. Many of you, I know, are already doing this very thing and you are to be complimented. You who have not done so can help tremendously in launching a campaign by immediately enrolling your employees to buy bonds and stamps each week.
>
> "I know many of you who have done this. Just today we gave all our employees a bond and asked each one to buy stamps each week, to which they all agreed heartily.

"And, as you know, Monday through Saturday of next week WJRD is conducting a campaign to be known as 'Buy Defense Bonds Week.'

"Hitler has included our nation in his list of countries to rule or destroy . . . BUT NOT SO IN AMERICA. Stamps buy bullets, bonds buy guns and ships. Buy Defense Bonds and Stamps and let's whip the h— out of Hitler and the Japs!

"Kindest personal regards. If I can be of assistance to you in this all out program for America's defense, please call on me."

A sample red and blue on white window sticker, 12½" x 10", was distributed to all merchants. The $50.00 prize letter writing contest is briefly outlined in one of the many station sponsored announcements:

"How would you like to win $25.00 worth of Defense Stamps free? All you have to do is to submit to WJRD the best completion of this statement—'I'm glad I live in America. I should buy Defense Bonds and Stamps because ——'—in fifty words or less. A total of $50.00 worth of Defense Stamps will be given as prizes in this contest—$25.00 in stamps as first prize, $10.00 in stamps as second prize, $5.00 in stamps as third prize, and ten one dollar stamps as the next ten prizes. Remember, you don't have to buy a thing. Simply have your entry in to WJRD by 10 o'clock Saturday night, January 17."

It was Mr. Reynolds' belief that in composing a statement to enter the contest many people would succeed in selling themselves that buying Defense Bonds and Stamps was the thing to do. Contest judges were Tuscaloosa school teachers.

WEIM BEATS QUOTA

Milt Meyers, general manager, WEIM, Fitchburg, Mass., is another man who knows how to merchandise defense stamps and bonds.

Here's how it is done in the Fitchburg manner:

"In spite of the fact that WEIM is using many announcements daily concerning sale of thrift stamps and defense bonds, we decided to run a radio sale of stamps and bonds.

"The decision to do this was made in the afternoon of January 14, 1942. The staff thought it advisable to tie it in with a basketball game at a local high school gymnasium on Friday, January 16. We then got busy, ordered lines, signs, posters and contacted possible purchasers to listen to our broadcast, unsponsored, and expenses for which were paid for by WEIM. At Vincent Callahan's direction we obtained five minute men, all representative citizens of our community of 45,000 people.

"We took the air at 7:45 p. m., explained the radio sale of stamps and bonds, heard from the Chairman of the Local Committee and one minute man and urged people to phone the studio indicating their desire to purchase. We then gave the air to the broadcast from the high school and at 7:57 p. m. it was returned to us and we were able to announce $8,000 in sales in eight minutes. The game then went on and between the halves, three other minute men spoke at the studios. The phones were ringing, the stamps and bonds were selling and we were toasting to, 'Let's Bury the Ax in the Axis.'

"Within one hour our quota of $4,000 looked sick—net results in excess of $22,000 of verified sales.

"We give you this report in the hope that every station in the country try it. They'll like it, the people respond when in the mood."

DEFENSE BONDS AT WHOM

Letter from Joseph Lang, general manager, WHOM, Jersey City, says that the defense bond pay roll plan is being participated in by 62 employees, with an average of $3.50 for each employee. Based on a 52 week period this pledge amounts to more than $10,000 in defense saving bonds.

At Christmas time WHOM gave each employee, on the staff for more than six months, a $25.00 defense saving bond. The effective date of the allotment plan at WHOM was December 9. This Mr. Lang believes makes the station one of the first to put the plan into effect among the radio stations of the country.

Year end gifts to employees of WTAD, Quincy, Ill., were defense bonds in varying amounts depending upon length of service. Presentation was made by W. Emery Lancaster, president, on December 16.

Victory Programs

"UNCLE SAM CALLING"

Reproduced below is a sample script of "Uncle Sam Calling," over WGAR, Cleveland. According to Carl George, director of operations, the show is spotted whenever the station has two or three minutes available. On a morning show, "For Victory," defense announcements are backed up by the staff orchestra.

These shows, covering a limited number of subjects, are written to appeal to the audience at the particular time they are broadcast.

"UNCLE SAM CALLING"

SOUND: KNOCK ON DOOR.

ANN: Hello. This is Uncle Sam calling, calling all Americans. Your country needs YOU now. Men, women, and children all can help defeat Hitler and the little men from Japan. The men in service, the men in the factory, in the office; the woman in the home, the children in school—all can and must help. This program is presented by WGAR in cooperation with the various agencies of the United States Government. Japan and Hitler have asked for war, and we are going to see that they get one! Japan thinks she's WINNING, just because she started running with the ball BEFORE THE GAME STARTED. And our bombers and planes will score time and time again and win this war but your country needs your help. You've given your pots and pans to help make the planes, now loan your government the money to KEEP 'EM FLYING. Notice I said "loan" the money, that's the way a democracy works. Buy and keep on buying United States Savings Bonds and stamps. Every time you buy a savings stamp you are "Remembering Pearl Harbor" in a way the Axis understands: bombs, aeroplanes, tanks, and guns. They don't understand a free people wanting peace; but they will understand how much we love those things once they feel the force of America against them. Believe me, this is a serious business, more serious than most of us believe, let's get behind our boys and show Hitler and the men who wear kimonos that the old forty-eight states have muscles on their muscles. Come on America, buy those stamps, keep 'em floating, keep 'em flying, and the Axis running! . . . All the ex-Navy or Coast Guardsmen, Attention! Your country needs you again in the U. S. Coast Guard. Things have changed since the old days. The work is harder, but promotions come as fast as you qualify for a higher rank. The food is better, the ships are newer and faster. You can enlist at the pay and rating you held at the time of your honorable discharge. But the motto remains unchanged, "Always Ready." In the work that lies ahead, the coast guard needs the help of your training and experience. Enlist at the Coast Guard recruiting office, 1700 Keith Building; open every day from eight A. M. to midnight. . . . And ladies, you can fight the Japs on the home front. Scrap metal in your home can give the answer to those gangsters who have attacked us. The iron, steel, brass, copper, and all other metals in your home can make shells, ships, tanks and guns to bring us victory. Collect all the scrap you can and then call your scrap dealer or a charity and they will pick it up for you. Remember, there is no such thing as "junk," as long as it's metal it can knock out a Japanese ship, or plane, it can also help chase Hitler back into the ground. Check your home tonight and do something about it TOMORROW! . . . The United States Marines need men! They need hard, tough boys for the job to be done, the job to be won! The Marine Corps station is located in the Federal Building, Cleveland. If you want action and adventure, investigate the greatest corps of fighters on earth. . . . Uncle Sam Calling is presented by WGAR in cooperation with the various agencies of the United States Government.

"ALL OUT, PEORIA"

"All Out, Peoria" was the 55-minute defense program broadcast on January 15 by WMBD, Peoria. The show originated in the main ballroom of a Peoria hotel. The broadcast was prompted by a desire to crystalize community effort on the importance of an all-out effort to win the war.

"With the entire world at war," said Station President Edgar L. Bill, "radio faces a greater responsibility of serving the country and community than ever before." To indicate its awareness of that responsibility and anxious to take the initiative in making its listeners realize the problems ahead, Mr. Bill invited leaders of action and thought in Peoria to appear on the broadcast.

On the program appeared leaders in labor, industry, women's organizations and civil defense agencies. They informed listeners what their respective organizations were doing and could do to aid the nation which needs the help of everyone to win the war. Introduced to the listeners were: Louis B. Neumiller, president, Caterpillar Tractor Company; L. E. Brown, chairman of the Peoria-Pekin Defense Council; Veeder Storry, president, Trades and Labor Assembly of the AFL in Peoria; Mrs. T. G. Lowry, president, Peoria Civic Federation of Women's Clubs; Forest Cummings, executive director of the CIO Industrial Union Council; Eugene R. Johnson, president of the Peoria Association of Commerce, and L. O. Schriver, chairman Greater Peoria Victory Bond Organization.

STATE LEGISLATION

New York:

S. 312 (Gutman) Pure Foods and Drugs—Consumers' Bureau—Creates in health dept. a consumers' bureau for registration, advertising control, analysis, scientific research, education, publicity and regulation of manufacture and sale of proprietary foods, drugs or cosmetics to prevent adulteration or misrepresentation. Referred to Committee on Health.

Virginia:

H. 8 (Warren, et al.) Malicious Rumors—To make the publication of certain false and malicious rumors a misdemeanor. Referred to Committee on General Laws.

FEDERAL COMMUNICATIONS COMMISSION

NEWSPAPER HEARING

The FCC resumed its newspaper ownership hearing this week. A petition by the Newspaper-Radio Committee to adjourn the hearing sine die was denied by Commissioner Walker, presiding, who said:

"The petition does not present a new matter. It was informally presented on the 18 of December and formally passed on by the Commission in meeting shortly thereafter, and, after thorough consideration, was denied.

"A great deal of time and money has already been expended in the preparation of this case, including the collection of a great deal of statistical material, much of which is of peculiarly current value. The Newspaper-Radio Committee has prepared the evidence which it is to submit and which counsel for the Committee estimates will require from nine to twelve days.

"Under the circumstances, the Commission is not impressed with the argument that the war effort will be forwarded by adjourning the proceedings *sine die* and lose the benefit of the tremendous amount of work which has already been done The Commission believes the war effort will be advanced by completing this investigation at the earliest possible moment."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 26. They are subject to change.

Monday, January 26

Consolidated Hearing

NEW—Air-Waves, Inc., Baton Rouge, La.—C. P., **1400 kc.**, 250 watts, unlimited.

NEW—Louisiana Communications, Inc., Baton Rouge, La.—C. P., **1400 kc.**, 250 watts, unlimited.

NEW—William J. Bray, James L. Ewing, T. B. Lanford, and John C. McCormack, d/b as Capitol Broadcasting Co., Port Allen, La.—C. P., **1400 kc.**, 250 watts, unlimited.

Wednesday, January 28

Consolidated Hearing

NEW—Yankee Broadcasting Company, Inc., New York, N. Y.—C. P., **620 kc.**, 1 KW, unlimited, DA-day and night.

NEW—Newark Broadcasting Corporation, Newark, N. J.—C. P., **620 kc.**, 5 KW, unlimited, DA-day and night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Josh Higgins Broadcasting Co., Waterloo, Iowa.—Granted construction permit (B4-P-3395) for new station to operate on **1540 kc.**, 50 KW, unlimited time. Directional antenna day and night.

WENR—Radio Corp. of America (Assignor), Blue Network Co., Inc. (Assignee), Chicago, Ill.—Granted consent to voluntary assignment of license (B4-AL-332) of station WENR from Radio Corp. of America to Blue Network Co., Inc.

KGO—Radio Corp. of America (Assignor), Blue Network Co., Inc. (Assignee), San Francisco.—Granted consent to voluntary assignment of license (B5-AL-3331) of station KGO from Radio Corp. of America to Blue Network Co., Inc.

WJZ—Radio Corp. of America (Assignor), Blue Network Co., Inc. (Assignee), New York City.—Granted consent to voluntary assignment of license (B1-AL-330) of station WJZ from Radio Corp. of America to Blue Network Co., Inc.

KMJ—McClatchy Broadcasting Co., Fresno, Cal.—Granted construction permit (B5-P-3428) to move transmitter to Madera and North Avenues, Kerman, Calif.; install directional antenna system for day and night use, antenna design subject to approval of Chief Engineer.

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Granted modification of construction permit (B3-MP-1459) to move transmitter locally, change type of proposed transmitter and extend commencement and completion dates to 60 and 180 days after grant, respectively.

WJW—WJW, Inc., Akron, Ohio.—Granted construction permit (B2-P-3263) to increase power from 250 watts to 5 KW, change frequency from **1240** to **850 kc.**, install a new transmitter and directional antenna for night use and move transmitter to Franklin Twp., Ohio.

WNOX—Scripps Howard Radio, Inc., Knoxville, Tenn.—Granted modification (B3-MP-1451) of construction permit (B3-P-2839) to make changes in directional antenna and extend commencement and completion dates, subject to special proof of performance and other engineering requirements.

KGDM—E. F. Peffer, Stockton, Calif.—Granted construction permit (B5-P-3199) to change frequency from **1130** to **1140 kc.**, subject to submitting proof of performance protecting XENT, Monterrey, Mexico, from interference; increase power from 1 KW daytime to 5 KW night and day, change hours of operation from daytime to unlimited, install a directional antenna for night use and install a new transmitter.

KFAB—KFAB Broadcasting Co., Lincoln, Neb.—Granted extension of special service authorization (B4-SSA-18) to operate synchronously with station WBBM from local sunset at Lincoln, Neb., to 12 midnight, CST, for period of 1 year.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special service authorization (B4-SSA-22) to operate synchronously with station KFAB, Lincoln, Neb., from local sunset at Lincoln to 12 midnight, CST, for a period of 1 year.

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Granted modification (B4-MP-1404) of construction permit (B4-P-2288) to increase power to 5 KW night and day, move transmitter locally, install new equipment and make changes in directional antenna system for day and night use. (Now licensed on **1450 kc.**, 250 watts, unlimited time; under construction permit for **1420 kc.**, 1 KW, directional antenna night, unlimited time.) Dismissed application for modification (B4-MP-1476) of construction permit for extension of commencement and completion dates.

W9XC—Central Broadcasting Co., Davenport, Iowa.—Granted modification of construction permit (B4-MPEX-7) for extension of completion date for construction of developmental station to July 19, 1942.

WRUW—World Wide Broadcasting Corp., Boston, Mass.—Granted temporary extension of license; deferred action on application for renewal of license, for waiver of requirements of Section 4.45, and on application for reinstatement of construction permit to use 50 KW, pending receipt of additional information.

DESIGNATED FOR HEARING

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Designated for hearing application for construction permit (B1-P-3323) to increase power to 5 KW, unlimited time; install a new transmitter and make changes in directional antenna. To be consolidated with hearing on application of Donald Flamm (B1-P-3400) for a new station to use frequency of **620 kc.**

Cleveland Broadcasting, Inc., Cleveland, Ohio.—Designated for hearing application for construction permit (B2-P-3359) for new station to operate on **1300 kc.**, 5 KW, unlimited time, employing directional antenna day and night.

KFXD—Frank E. Hurt, Nampa, Idaho.—Designated for hearing application for construction permit (B5-P-2819) to change frequency from **1230** to **1030 kc.**, increase power from 250 watts to 1 KW night and day, move transmitter to site to be determined near Nampa, Idaho, and make changes in equipment.

KRNR—News-Review Company, Roseburg, Oregon.—Designated for hearing (to be heard jointly with KFXD above) application for construction permit (B5-P-3371) to install a new transmitter, directional antenna, increase power to 10 KW, unlimited time, directional antenna night and day; change frequency to **1030 kc.**, and move transmitter locally.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending April 1, 1944:

KDKA, Pittsburgh, Pa.; KSOO, Sioux Falls, So. Dak.; WBZ and WBZA, Boston, Mass.; WCAU and auxiliary, Philadelphia; WCFL and auxiliary, Chicago; WHN and auxiliary, New York City; WIBG, Glenside, Pa.; WRVA and auxiliary, Richmond, Va.; WTAM, Cleveland, Ohio; KEX, Portland, Ore.; WGNY, Newburgh, New York; WEAU, Eau Claire, Wisc.; WLAC, Nashville, Tenn.; WJJD, Chicago.

The following stations were granted renewal of licenses for the period ending February 1, 1944:

KIRO, Seattle, Wash.; KOWH, Omaha, Neb.; KPO, San Francisco; KSKY, Dallas, Texas; KXA, Seattle; WEAF, New York City; KFUO, Clayton, Mo.; WEEU, Reading, Pa.; WMAQ, Chicago; WTBO, Cumberland, Md.; KFAB, Lincoln, Neb.; WBBM and auxiliary, Chicago.

The following station was granted renewal of license for the period ending April 1, 1944:

WHIP, Hammond, Ind.

The following stations were granted renewal of licenses for the period ending October 1, 1942:

WGAC, Augusta, Ga.; WJRD, Tuscaloosa, Ala.

The following were granted renewals for the period ending October 1, 1943:

WHLN, Harlan, Ky.; WKIP, Poughkeepsie, N. Y.

The following were granted renewals for the period ending December 1, 1943:

WKNY, Kingston, N. Y., and WTMV, E. St. Louis, Ill.

MISCELLANEOUS

WOBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Granted license to cover construction permit for move of old RCA 1-G transmitter to site of new main transmitter, and use as auxiliary transmitter (B4-L-1557); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1292).

W55M—The Journal Co., The Milwaukee Journal, Milwaukee, Wisc.—Granted modification of construction permit as modified, for new high frequency broadcast station, for extension of completion date from January 30 to February 28, 1942 (B4-MPH-61).

KCKN—The KCKN Broadcasting Co., Kansas City, Kans.—Granted authority to determine operating power by direct measurement of antenna input.

WEIN—The Journal Co., The Milwaukee Journal, Portable-Mobile, area of Milwaukee, Wisc.—Granted license to cover construction permit for changes in equipment and increase in power of relay broadcast station (B4-LRE-370).

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Granted modification of construction permit for installation of new television broadcast station, for extension of completion date from January 1 to April 1, 1942 (B2-MPCT-6).

WHP—WHP, Inc., Harrisburg, Pa.—Granted construction permit to install new auxiliary transmitter for emergency use only, with power of 500 watts (B2-P-3394).

WDEL—WDEL, Inc., Wilmington, Dela.—Granted modification of construction permit as modified for increase in power and install new transmitter and directional antenna for day and night use, for extension of completion date from January 20 to July 20, 1942 (B1-MP-1483).

W51C—Zenith Radio Corp., Chicago, Ill.—Granted license to cover construction permit as modified for new high frequency broadcast station; **45100 kc.**, service area 10800 square miles (B4-LH-7).

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of construction permit as modified for new equipment and increase in power, for extension of completion date from January 31 to April 1, 1942 (B5-MP-1485).

KARM—KARM, The George Harm Station, Fresno, Calif.—Granted license to cover construction permit for change in frequency, increase in power, move transmitter site, install new transmitter and directional antenna for day and night use (B4-L-1583); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1319).

KOKO—The Southwest Broadcasting Co., La Junta, Colo.—Granted license to cover construction permit for increase in power and install new transmitter (B5-L-1582).

W9XBK—Balaban and Katz, Chicago, Ill.—Granted extension of special temporary authority to operate two transmitter units to be installed and operated from the State-Lake Building, Chicago, Ill., link transmitter Type No. 50-UTX with 100 watts power for visual and link transmitter Type 25-UBX 25 watts power for aural, temporary steel tower to be used on roof of said building, in order to conduct tests for the period beginning January 15, 1942 and ending in no event later than February 13, 1942, in accordance with construction permit.

KGEI—General Electric Co., near Belmont, Calif.—Granted extension of special temporary authority to add the frequencies **15130** and **15210 kc.** (sharing time with Stations WRUL, WRUS, and WRUW on **15130** and with WBOS on **15210**) to the presently licensed frequencies on a temporary basis for the period January 14, 1942, to not later than February 12, 1942, pending filing of formal application and action on same.

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y.—Granted modification of construction permit for change in transmitter location, change in type of transmitter and changes in antenna system (B1-MPST-5).

KTEM—Bell Broadcasting Co., Temple, Tex.—Granted license to cover construction permit for changes in equipment (B3-L-1538).

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Denied petition for leave to intervene in the hearing on applications of Yankee Broadcasting Co., Inc., and Newark Broadcasting Corp. Exception noted by counsel for WIP.

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Denied petition for leave to intervene in re hearing on above listed applications; exception noted by counsel for WAGE.

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Denied petition for leave to intervene in the hearing on application of WDNC, Durham Radio Corp., Durham, N. C. (Docket 6209), for changes in existing facilities; exceptions noted by counsel for WAGE.

KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—Denied petition for leave to intervene in the hearing on application of WAAF, Drovers Journal Publishing Co., Chicago (Docket 6129).

WDRC, Inc., Hartford, Conn.; The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted motion for postponement of hearing now scheduled for January 28 until March 26, in re application of WDRC, Inc., for modification of construction permit of FM station, and application for new FM station of Radio Voice of New Hampshire, Inc.

The Constitution Broadcasting Co., Atlanta, Ga.—Granted motion for waiver of certain requirements of the rules (re additional copies of exhibits to application), upon condition that if the need for additional copies of the exhibits required by Sec. 12(e) of application form should arise in the future, petitioner will furnish same at that time.

Portsmouth Radio Corp., Portsmouth, Va.—Granted petition for additional time to file findings now due January 21 to February 23, 1942, in re application for new station.

KSFO—The Associated Broadcasters, Inc., San Francisco, Cal.—Granted request for authority to take depositions in re applications of KSFO and KQW for construction permits to use frequency **740 kc.**

Frequency Broadcasting Corp., Borough of Brooklyn, N. Y.—Granted petition to dismiss without prejudice application for new station to operate on **620 kc.**, 500 watts, daytime.

Donald Flamm, New York City.—Denied motion for consolidation and continuance of hearing on applications of Yankee Broadcasting Co., Inc., New York City, and Newark Broadcasting Corp., Newark, N. J., for new stations, dismissed without prejudice motion to intervene in hearing.

Newark Broadcasting Corp., Newark, N. J.—Granted motion to continue hearing now scheduled for January 19 to January 28, in re application of Yankee Broadcasting Co., Inc., and Newark Broadcasting Corp. for new stations.

WCAX—The Burlington Daily News, Inc., Burlington, Vt.—Withdrew petition to intervene and enlarge issues in re applications of Newark Broadcasting Corp. and Yankee Broadcasting Co., Inc.

WGEA—General Electric Co., Schenectady, N. Y.—Granted extension of special temporary authority to add the frequencies **7000** and **11730 kc.** (sharing time with Stations KGEI and WGEO on both frequencies and sharing time with Stations WRUL, WRUS and WRUW on the latter frequency) to the presently licensed frequencies on a temporary basis from January 16 to not later than February 14, 1942, pending filing of formal application and action on same.

WGEO—General Electric Co., Schenectady, N. Y.—Granted extension of special temporary authority to add the frequencies **7000** and **11730 kc.** (sharing time with Stations KGEI and WGEA on both frequencies and sharing time with Stations WRUL, WRUS and WRUW on the latter frequency) to the presently licensed frequencies on a temporary basis from January 16 to not later than February 14, 1942, pending filing of formal application and action on same.

KGEI—General Electric Co., near Belmont, Calif.—Granted extension of special temporary authority to add the frequencies **7000** and **11730 kc.** (sharing time with Stations WGEA and WGEO on both frequencies and sharing time with Stations WRUL, WRUS and WRUW on the latter frequency) to the presently licensed frequencies on a temporary basis from January 16 to not later than February 14, 1942, pending filing of formal application and action on same.

KIUP—San Juan Broadcasting Co., Surango, Colo.—Granted special temporary authority to sign off at 7:30 p. m., MST, instead of 10 p. m., MST, for the period January 19 to not later than January 24, 1942.

WSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted extension of special temporary authority to remain silent after 8 p. m., MST, for the period January 19 to not later than February 16, 1942.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit for installation of directional antenna for night use, move of transmitter, increase power to 5 KW day and night, and for NARBA frequency **930 kc.**, for extension of completion date from January 20 to July 20, 1942 (B3-MP-1486).

K45SF—Hughes Tool Co., San Francisco, Calif.; K49LA—Hughes Tool Co., Los Angeles, Calif.—At the request of the permittee, who pleaded national defense activities necessitated confining his broadcast activities to television stations which he is erecting in San Francisco and Los Angeles, Commission cancelled construction permits for high frequency (FM) broadcast stations K45SF and K49LA, and deleted call signals, thus making frequencies **44500** and **44900 kc.** available in San Francisco and Los Angeles respectively to other FM applicants.

W2XD—General Electric Co., Schenectady, N. Y.—Cancelled license and deleted call signal in view of fact that W2XD has been replaced by W2XGE, operated by the same licensee.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Denied petition for reconsideration and grant without hearing of application for renewal of license, now scheduled for hearing on February 2, 1942.

Rockford Broadcasters, Inc., Rockford, Ill.—Denied request for special temporary authority to operate an FM station commercially under the call letters W71RF.

APPLICATIONS FILED AT FCC

550 Kilocycles

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Construction permit for changes in equipment, antenna system, change frequency from **1490** to **550 kc.**, using power of 100 watts night, 250 watts day.

570 Kilocycles

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—License to cover construction permit (B2-P-2547 as modified) in part, for new transmitter and increase in power to 500 watts, 5 KW day. (Not covered—directional antenna—night and 5 KW night power.)

WWNC—Asheville Citizens-Times Co., Inc., Asheville, N. C.—Relinquishment of control by Chas. A. Webb, through payment of accrued preferred stock dividends by licensee corporation.

910 Kilocycles

WJHL—WJHL, Inc., Johnson City, Tenn.—Construction permit to install new transmitter and increase power from 1 KW directional antenna night to 1 KW night, 5 KW day directional antenna night.

950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Modification of construction permit (B3-P-2791) as modified, for installation of directional antenna for night use, increase in power, for extension of completion date from 1-18-42 to 3-8-42.

1230 Kilocycles

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—License to cover construction permit (B5-P-3144) for new transmitter, vertical antenna, increase in power, change in frequency and hours of operation. Authority to determine operating power by direct measurement.

1240 Kilocycles

WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—Construction permit to move transmitter approximately 150 feet from temporary building to permanent building.

WTAX—WTAX, Incorporated, Springfield, Ill.—License to cover construction permit (B4-P-3381), which authorized changes in equipment.

1250 Kilocycles

NEW—Homer Rodeheaver, Warsaw, Ind.—Construction permit for a new broadcast station to be operated on **1250 kc.**, 1 KW, unlimited hours, using directional antenna for day and night use. Amended: to change transmitter site and studio site from Winona Lake to Warsaw, Indiana.

1270 Kilocycles

KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—License to cover construction permit (B3-P-3326) for move of old transmitter to site of new main transmitter as auxiliary transmitter.

1300 Kilocycles

NEW—Harold L. Sudbury, May McCutchen and O. W. McCutchen, d/b as Sikeston Broadcasting Co., Sikeston, Mo.—Construction permit for a new broadcast station to be operated on **1300 kc.,** 250 watts, daytime hours.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Authority to determine operating power by direct measurement.

1310 Kilocycles

WIBA—Badger Broadcasting Co., Madison, Wisc.—Modification of construction permit (B4-P-2689) as modified for new transmitter, increase in power, changes in directional antenna and move of studio and transmitter, requesting extension of completion date from 1-20-41 to 2-20-42.

1330 Kilocycles

NEW—WJPS, Inc., Evansville, Ind.—Construction permit for a new broadcast station to be operated on **1330 kc.,** 1 KW, unlimited hours, using directional antenna at night. Amended: to specify transmitter site.

1340 Kilocycles

WLBC—Donald A. Burton, Muncie, Ind.—Modification of license to move studio from Muncie, Indiana, to new transmitter site 0.2 mile east of junction of state roads No. 21, No. 3 and No. 67, south of city of Muncie.

1400 Kilocycles

WTNM—Lester Q. Krasin and Otto A. Krutzner, d/b as Krasin and Krutzner Broadcasting Co., Tucumcari, N. M.—Modification of license to change hours from unlimited time to specified hours (7 a. m. to 7:15 p. m.).

WRRN—Frank T. Nied & Perry H. Stevens, d/b as Nied & Stevens, Warren, Ohio.—Authority to determine operating power by direct measurement.

1410 Kilocycles

WBBC—State Broadcasting Corp., New Britain, Conn.—License to cover construction permit (B1-MP-1267), which authorized increase in night power, changes in directional antenna, for day and night use, and authority to determine operating power by direct measurement.

1470 Kilocycles

WSAR—Doughty and Welch Electric Co., Inc., Fall River, Mass.—Construction permit to change frequency from **1480** to **1470 kc.,** and make changes in directional antenna for day and night use. Amended: for changes in directional antenna.

1560 Kilocycles

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-MP-1086) for changes in equipment, increase in power, installation of directional antenna for day and night use, requesting extension of completion date from 2-3-42 to 4-1-44.

MF APPLICATIONS

NEW—The Constitution Publishing Co., Atlanta, Ga.—Construction permit for a new high frequency broadcast station to be operated on **45,300 kc.;** coverage, 7,380 square miles; population, 826,864.

W49-BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Modification of construction permit (B1-PH-10) as modified for a new high frequency broadcast station, requesting extension of completion date from 2-13-42 to 7-13-42.

MISCELLANEOUS APPLICATIONS

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Modification of construction permit (B5-PIB-34) for a new international broadcast station requesting change in frequency of **15340** to **15350 kc.,** and extension of commencement and completion dates from 12-14-41 and 6-14-42 to 30 days after grant and 150 days thereafter, respectively.

NEW—New Laurel Radio Station, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** power 50 watts, emission A3.

KEHD—Topeka Broadcasting Association, Inc., Topeka, Kans.—Application for license for reinstatement of relay broadcast station license which expired 12-1-41.

KEID—KCMO Broadcasting Co., Kansas City, Mo.—Application for license for reinstatement of relay broadcast station license which expired 12-1-41.

KEIE—KCMO Broadcasting Co., Kansas City, Mo.—Application for license for reinstatement of relay broadcast station license which expired 12-1-41.

WAAU—Columbia Broadcasting System, Inc., Mobile.—Modification of license to designate station WBBM, Chicago, Ill., as the standard broadcast station with which this relay station shall be operated instead of standard broadcast station WABC, New York, N. Y.

NEW—General Electric Co., New Scotland, N. Y.—Construction permit for a new television relay broadcast station to be operated on Channel No. 8, **162000-168000 kc.,** power 50 watts, emission A5 (to be used with applicant's commercial television broadcast station WRGB).

W47-NY—Muzak Corporation, New York, N. Y.—Consent to assignment of construction permit B1-PH-48 and B1-MPH-48 to Muzak Radio Broadcasting Station, Inc.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

American-Chiffon Company—Misrepresentation of the grade and quality of women's hosiery is alleged in a complaint issued against Scott Products Co., trading as American-Chiffon Co., 9 West Washington St., Chicago. (4670)

Climax Cleaner Manufacturing Co., 2080 West 110th St., Cleveland, is charged with misrepresentation in the sale of "Climax Wall Paper Cleaner," in a complaint. (4668)

Columbia Appliance Corporation—A complaint has been issued charging Columbia Appliance Corporation, 225 West 57th St., New York, with misrepresentation and unfair disparagement of a competitor's product. The Columbia corporation sells synthetic solvent dry cleaning machines used in the cleaning of clothing, and also synthetic dry cleaning solvents, including trichloroethylene, for use in the machines. (4669)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

Boulevard Candy Co., 1925 South Western Ave., Chicago, has been ordered to cease and desist from selling or otherwise disposing of candy or other merchandise by means of a game of chance, gift enterprise, or lottery scheme. (3396)

Hiram Carter, Inc., 5706 Hoffman Drive, Elmhurst, N. Y., and S. Fred Griffin, president and principal owner of the corporation, have been ordered to cease and desist from misrepresentations in connection with the sale of various medicinal preparations designated "Old Surgeon's," or "Old Surgeon's Remedy" or "Old Surgeon's Double Duty Remedy." (4101)

Powerine Co., Denver, Colo., engaged in the sale of petroleum products under the trade names "Powerine" and "Powerlube," have been ordered to cease and desist from selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. (4423)

Retail Coal Merchants Association—A trade association consisting of all but three retail coal dealers in Richmond, Va., its members and officers, and four wholesalers of coal have been ordered to cease and desist from entering into or carrying out any agreement or understanding for the purpose of restraining or eliminating competition in, or monopolizing, the retail sale of coal in the Richmond trade area.

The respondent association and its officers are: Retail Coal Merchants Association; D. Walton Mallory, president; Edwin D. Newmann, vice president; A. Holland White, treasurer, and Charles H. Hall, Jr., secretary, all of Richmond.

The retail coal dealers named in the order as members and as representative of all the other members of the Association, as a class, are: L. D. Wingfield and James L. Hatcher, co-owners of the business operated as Wingfield-Hatcher Coal Co.; A. M. Hungerford, doing business as Hungerford Coal Co.; Massey-Wood & West; Sydnor-Howey & Co., Inc.; D. W. Mallory & Co., Inc.; Ellison & Hawes, Inc.; W. E. Seaton & Sons, Inc., and Gill Fuel Co., Inc.

The respondent wholesale dealers are: Cabell Coal Co., Inc., Covington, Va.; A. T. Massey Coal Co., Richmond; White Oak Coal Co., Charleston, W. Va., and Mr. and Mrs. Robert Henry Moore, Katherine St. Clair Santori, and Houston St. Clair, doing business as Virginia Smokeless Coal Co., Tazewell, Va. (3911)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Fur Company—Abe Cohen, trading as American Fur Co., 151 West South Temple, Salt Lake City, Utah, purchaser and seller of raw furs, stipulated to cease representing, by use of statements such as "Eliminate the Middle Man" and "Trapper to Wearer," that he does not resell raw furs purchased by him; that all the raw furs he purchases are used by him in the manufacture of fur coats or other consumer goods, or that trappers or others selling him raw furs receive greater reimbursement because of the alleged elimination of middleman costs. (3356)

Bawden Studios, Clayton G. Bawden, Jesse M. Bawden and Leslie M. Bawden, 14 East Seventh St., St. Paul, Minn., entered into a stipulation with the Federal Trade Commission in which they agree to cease representing that the prices at which they sell their photographs are special, reduced or introductory prices; that their pictures, prints or photographs are "Oil Colored Portraits" and their photographers or other employees artists; and that "Hollywood Lightings" are used in the taking of their photographs. The respondents further stipulate they will discontinue use of the word "Etching" or similar words to designate a picture not produced from etched plates; will cease representing that a customer purchasing a photograph is obliged to buy additional copies; and cease packaging a photograph for which payment has been made with a picture not paid for and causing delivery of the package to be contingent on the payment of the amount claimed as due on the unpaid for picture. (3361)

Columbia Publications, Inc., and Louis H. Silberkleit and Harold Hammond, trading as Atlas Fiction Group, Inc., 60 Hudson St., New York, stipulated to cease certain representations in the sale of magazines. (3354)

Cummer Products Co., 170 Varick St., New York, has entered into a stipulation to discontinue certain representations in connection with the sale of a cleaning fluid designated "Fireproof Energine." (3357)

Filtex Corporation, 600 North Mechanic St., Jackson, Mich., stipulated that in the sale of its "Filtex" vacuum cleaner device, containing a filter pad chemically treated, it will cease representing that use of the device would be of appreciable value as a means of protecting against respiratory disorders or against dust or germ laden air, or that it would purify and disinfect air in sick rooms. (3359)

French Sardine Co., Inc., Terminal Island, Calif., distributor of "Stay Well Cat Food," stipulated that it will desist from representing its product as being a "Balanced Diet" or constituting a balanced food or ration for cats generally. According to the stipulation, the respondent's preparation is not a balanced food for cats generally, as cats of different breeds and ages require different food or food elements. (3360)

Interstate Jewelers—Franklin F. Bush, trading as Interstate Jewelers, 2326 S. E. Madison St., Portland, Oreg., has entered into a stipulation to cease certain representations in the sale of table flatware or other merchandise. (3362)

Mutual Spice Co., Inc., 457 Broome St., New York, has entered into a stipulation to cease certain representations in the sale of a food product designated "Worcestershire Sauce." The respondent agrees to cease representing, or providing wholesalers, private brand distributors or others with the means to represent, through the use of wrappers, containers or labels which simulate the distinctive wrappers, containers or labels used by Lea & Perrins, Inc., in marketing Worcestershire sauce, or in any other manner, that the respondent's product is Worcestershire sauce manufactured and distributed by Lea & Perrins, Inc., which has for many years distributed its brand of sauce under distinctive labels and wrappers. (3358)

Northern Electric Co., 5224 North Kedzie Ave., Chicago, distributor of electrical heating pads, stipulated that in the sale of such pads not equipped with three or more adequate thermostatic or other heat controls calibrated for three distinct temperatures, it will cease employing the words "three heat" as descriptive of the pads or the switches used with them. According to the stipulation, the pads and switches are not capable of maintaining three different degrees of heat, the operation of the switches merely controlling the length of time required to heat the pads to a single maximum temperature. (3364)

Reed & Barton, Taunton, Mass., silverware manufacturer, stipulated to cease stamping, branding or labeling as "AA+" flatware or other merchandise which does not actually meet all the recognized standards of trade and industry for the type of silverplating thus implied, the marking "AA" stamped on a piece of flatware or referred to in advertising literature signifying to the trade and public a quality superior to "A1" or "Standard." The respondent further agrees to desist from describing or referring to a statement or document as a "guarantee" or similar undertaking when it fails to name the manufacturer, distributor, or other responsible party to whom the purchaser may turn for redress if the goods purportedly secured by such document fail to meet the assurance or warranty specified. (3363)

Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 5, January 30, 1942

Selective Service

Stations threatened with loss to the draft of first or second class operators whom they will find it difficult, if not impossible, to replace are advised to communicate with the State Occupational Adviser at their State Selective Service Headquarters. (This is additional to procedure outlined in previous bulletins, and is at the suggestion of national headquarters.) Request the Occupational Adviser to bring to the attention of the local board in question the difficulty or impossibility of replacing the registrant and the importance of his position in the operation of the station, and to request that his, the Occupational Adviser's, statement be entered in the registrant's file, so that it will be available to the local board and also to the Board of Appeals if the case is appealed. It is believed that all State Occupational Advisers are familiar with the acute shortage of operators. Such a statement in the registrant's file will presumably carry considerable weight with the local board and the Board of Appeals. Don't wait,—as soon as you learn that induction is imminent get your State Occupational Adviser on the phone. He may ask you to put your request in writing; if so, acquaint him with the tenor of the statement you will have presumably already filed on Form 42-A with the local draft board.

Familiarize yourself again with procedure recommended in previous NAB REPORTS and bulletins. File Form 42-A with local board; contact State Occupational Adviser as above-outlined; if necessary, you should appeal to the Board of Appeals for the area. ONLY THEN, if temporary deferment has not been granted, wire the man's full name and whether first or second class operator, number and location of local draft board, and steps you have taken to secure deferment, to Russell Place, NAB, Washington, D. C. Request for immediate investigation by National Selective Service Headquarters will be made at once.

ASCAP

ET CLEARANCE

ASCAP refuses to allow the deduction of 15 per cent sales cost from the gross amount paid for station time when electrical transcriptions are cleared at the source. ASCAP's stand is set forth in a letter from John Paine to Neville Miller dated January 26, which is printed below:

"In connection with the clearance at the source of electrical transcriptions, I would advise you that I am now empowered to clear electrical transcriptions at the source on the 8% and 2% basis, in accordance with my letter to you of September 3, 1941 [see NAB Special Bulletin Sept. 30, 1941], and we will allow from the gross amount paid for the station time, a deduction of the frequency discount and a deduction of a 15% agency commission, if and when paid.

"I might re-state here that we will require clearance at the source only for such stations as may be requested by the advertising agency or electrical transcription company, as the case may be, and will not require clearance at the source for stations holding ASCAP license agreements, either per program or blanket, to whom the transcriptions may be sent, unless the agency or transcription company for any reason wishes to include such stations."

Shows From Army Camps

The Radio Branch of the War Department Bureau of Public Relations advises us some radio stations have been discontinuing their broadcasts from army camps and posts since the declaration of War in the belief this was the wish of the War Department. *This is not the case.* There is, on the other hand, even more need for such public service broadcasts from army camps and posts and will continue to be a growing need of them as the army is expanded during the year.

In order to encourage such broadcasting endeavors and facilitate their handling, the Radio Branch has brought to Washington since the beginning of the War, Captain Ed Curtin, lately Public Relations Officer at Camp Wheeler, Ga., and formerly connected with well-known radio establishments.

The Radio Branch encourages all radio stations to continue collaboration with local Public Relations Officers in the promotion of the army by radio from the camps and offers any cooperation possible in your undertaking in this direction. Any inquiries should be addressed to the Radio Branch, Bureau of Public Relations, War Department, Washington.

RADIO A WAR-TIME ESSENTIAL

The following letter from NAB President Neville Miller to Leland Olds, Chairman, Federal Power Commission, is of interest to all broadcasters:

"We are considerably disturbed by an Associated Press dispatch dated January 22nd, in which you were quoted as having told the House Appropriations Committee that the use of radio in the home was "essentially" a "luxury" and that, as such, it might have to be eliminated.

"I am fully aware that very often single sentences taken from the expression of a complete thought convey a wrong impression, and I hope that you, as the head of the Federal Power Commission, do not look upon the use of electricity for radio in the home as a luxury. Even if home listening were confined to entertainment, we feel that its description as a "luxury" could be challenged in days when maintenance of morale is only one of the many functions that the broadcasting industry is performing to further the country's War effort.

"We are carrying the voice of our country's leaders into the 30,700,000 radio equipped American homes. A recent survey showed that 75,000,000 persons heard President Roosevelt's first Fireside Chat after Pearl Harbor. The printed word can never substitute for the spoken word in this respect.

"Through its news broadcasts, radio is keeping the American people better informed than they ever have been in the past. Radio now constitutes the primary source of news for many people

(Continued on page 48)

Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

RADIO A WAR-TIME ESSENTIAL

(Continued from page 47)

and we feel that the removal of a primary source of information such as you suggest would be a staggering blow to democracy.

"As you may know, the Army, the Navy and the Marine Corps are using radio extensively for recruiting purposes. The United States Civil Service Commission is using it for the purpose of recruiting skilled workers for War industries. The Treasury Department relies upon radio to assist in the sale of Bonds and Stamps, and radio has accounted for many millions of dollars worth of sales of these securities that would not otherwise have been obtained. The Office of Civilian Defense and other morale agencies have turned to radio for assistance and it has been willingly given.

"The activities mentioned above are but a few of the broadcasting industry's many War time public services, and I would like to call your particular attention to the fact that broadcasters are performing all of the above mentioned services without cost to the Government. All announcements and programs of the various Government departments and agencies are carried on time gladly donated for that purpose without cost to the Government by the stations and the networks. We believe we are playing an essential part in the Government's War activities, and naturally are proud of the record which is being made by the industry.

"In view of these facts, I feel you must agree that it is not proper to classify the use of radio as a "luxury". It is most unfortunate that the story got into the press in the form that it did, and I am wondering, in view of the importance of radio's present War activities, if you would give us a statement which would counteract the impression which this recent article conveyed. I am sure it would be very helpful, and would be greatly appreciated."

At press time no reply had been received.

OFFICE OF CENSORSHIP ADDRESS

For the benefit of those desiring to consult with the Office of Censorship, communications should be addressed as follows:

J. Harold Ryan
Assistant Director of Censorship
Office of Censorship
Federal Trade Building
Pennsylvania Avenue between 6th and 7th Streets
Washington, D. C.

The telephone number is EXecutive 3800.

FCC Investigation Proposed

On Wednesday, January 28, Representative Cox (D.-Ga.) announced from the floor of the House his intention of offering a resolution for House investigation of the FCC. According to the Congressional Record, Mr. Cox addressed the House as follows:

"Mr. Speaker, Mr. Fly, of the Communications Commission is using a good law to a bad end. He is guilty of a monstrous abuse of power and is rapidly becoming the most dangerous man in the Government. He maintains an active and ambitious Gestapo and is putting shackles on the freedom of thought, press, and speech without restraint.

"In the pretended regulation of the broadcasters, which needs regulating, he is breaking down those freedoms which guard all others. He is taking advantage of the stress of the moment to federalize all means of communication.

"I have heretofore opposed the investigation of executive departments of the Government, but the Communications Commission, as now operating under Mr. Fly, must be stopped, and I intend offering a resolution for House investigation."

FCC POWER TO SUBPOENA UPHELD

The power of the FCC to issue subpoenas in its investigations seeking information applicable to the legislative standards set up in the Communications Act was upheld last Monday by the United States Court of Appeals for the District of Columbia. The court negatived the Commission's authority to require witnesses whom it summons to bare their records, relevant or irrelevant, in the hope that something will turn up, or to invade the privacy protected by the Fourth Amendment.

Touching on the powers of the Commission and the qualifications of applicants for a station license the Court said:

"The Communications Act requires no more of an applicant for a radio license than proof of citizenship, character, and financial and technical qualifications to operate in the public interest. Possessing these, the applicant's eligibility is unchallengeable, assuming there is an unused frequency free of interference with an established station. This is the rule announced by the Supreme Court in the *Sanders* case. But the determination of these qualifications is an administrative function which Congress has committed to the Commission, subject only to the requirement that in granting or refusing the license it shall act as the public convenience, interest, or necessity requires. This, however, as the Supreme Court remarked, is not a grant of unlimited power, but only the right to control the range of investigation in ascertaining what, within the compass of the Act, is proper to satisfy the requirements. It does not embrace and should not be extended by implication to embrace a ban on newspapers as such, for in that case it would follow that the power to exclude exists also as to schools and churches; and if to these, the interdict might be applied wherever the Commission chose to apply it. This, we think, would be in total contravention of that equality of right and opportunity which Congress has meticulously written into the Act, and likewise in contravention of that vital principal that whatever fetters a free press fetters ourselves. In this view, we need not consider whether the power exists even in Congress, for Congress has not undertaken, and probably never will undertake, to delegate such power to the Commission. Hence it is that in the present state of the law a newspaper owner who is also the owner of a broadcast station may very well say to whoever challenges this dual right: 'Who art thou that judgest another man's servant. To his own master he standeth or falleth'."

The opinion in full is as follows:

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

No. 8039

JAMES G. STAHLMAN, APPELLANT,

v.

FEDERAL COMMUNICATIONS COMMISSION, APPELLEE.

Appeal from the District Court of the United States for the District of Columbia

(Argued December 3, 1941 Decided January 26, 1942)

Mr. Elisha Hanson, with whom *Mr. Harold L. Cross, Jr.,* and *Miss Letitia Armistead* were on the brief, for appellant.

Mr. Thomas E. Harris, Assistant General Counsel, Federal Communications Commission, with whom *Mr. Telford Taylor,* General Counsel, Federal Communications Commission, appeared on the brief, for appellee.

Before Groner, C. J., and Vinson and Edgerton, JJ.

GRONER, C. J.: On March 20, 1941, the Federal Communications Commission issued its order No. 79, which directed that it

> . . . undertake an immediate investigation to determine what statement of policy or rules, if any, should be issued concerning applications for high frequency broadcast stations (FM) with which are associated persons also associated with the publication of one or more newspapers . . . and that such investigation . . . shall also include consideration of statements of policy or rules, if any, which should be issued concerning future acquisition of standard broadcast stations by newspapers.

In July following, the Commission issued a supplemental order No. 79-A,[1] in which it particularized the subjects to be considered at the hearing. About the same time the Commission forwarded to broadcast station licensees a questionnaire intended to elicit information concerning the relations between licensees and newspapers in their respective communities, and in the latter part of July issued and served on appellant a subpoena requiring his presence in Washington on August 1, "then and there to testify in the above-entitled cause now pending before this Commission". Appellant is the publisher of the Nashville Banner, and in times past has been president of the American Newspaper Publishers Association, president of the Southern Newspaper Publishers Association, vice-chairman of the Publishers National Radio Committee, and a member of the Radio Committee of the American Newspaper Publishers Association. The Commission advised appellant by letter of July 10 that at the hearings to begin July 23 the Commission planned to receive testimony concerning the past and present relations between the radio industry and radio networks on the one hand, and the newspaper industry and press services on the other, with respect to the joint association of newspapers and radio stations. And it was stated further that the Commission would inquire into the arrangements made in the past for broadcasting of news, the part played by radio stations associated with newspapers in that respect, the availability of newspaper reports for broadcasts, the collection of news for radio broadcasting, and other related matters coming within the scope of the topics set forth in the order. Appellant referred the papers served on him, including the letter, to his counsel, who advised him that the subpoena was a nullity, inasmuch as it purported to command him to appear and testify in a proceeding not authorized by the Act. Subsequently in the hearing, the American Newspaper Publishers Association appeared specially and on the grounds just mentioned moved the Commission to terminate the proceeding. The motion was denied. Appellant did not appear as commanded, and on August 2 the Commission filed in the District Court an application to require his appearance. An order to show cause issued, to which appellant filed his return and answer. A hearing was had, and the District Judge entered an order requiring appellant to appear before the Commission to testify concerning the matters to be investigated under Commission order No. 79.

On this appeal, appellant insists very earnestly that the sole question is whether the Commission has the power to consider or to adopt and apply a general policy or rule by which persons engaged in the newspaper publishing business or associated therewith may by reason of that fact alone be differentiated as a class apart from all other persons for the purpose either of preference in the assignment of radio facilities or of disqualification from engaging in the radio broadcasting business. The Commission, on the other hand, contends that its inquiry under order 79 is proper in connection with its licensing functions under Section 309(a) of the Act;[2] and would also be proper under Section 4(k), which directs the Commission to make annual reports to Congress as to additional legislation deemed by it to be necessary. But in its order Section 4(k) is not mentioned. Nor is the language or form of the order responsive to that section. We have, therefore, considered the question solely under the Commission's general powers and duties and to the exclusion of that section.

Both sides apparently are in agreement that the validity of the subpoena may be tested in the manner in which the question is presented here.

The rule most frequently invoked in challenging the powers of an administrative body to constitute itself an inquisitorial or visitorial body as to all matters direct and collateral within its general jurisdiction was stated by Mr. Justice Holmes in *Harriman* v. *Interstate Commerce Commission,* 211 U. S. 407. In that case the Interstate Commerce Commission had of its own motion undertaken an investigation in relation to carrier community of interests as tending to violate or to defeat the purposes of the Act. Mr. Harriman, an official of the Union Pacific, was called as a witness, and the case went to the Supreme Court as the result of his refusal to answer a question in relation to certain investments in the securities of competing carriers. The Supreme Court sustained his position, holding in effect that, as the Act was drawn, an investigation by the Interstate Commerce Commission of its own motion must be ancillary to a lawful purpose embraced within the powers granted in the statute. Subsequently, Section 13 of the Commerce Act was amended to authorize investigations by the Commission on its own motion concerning any question which might arise under any of the provisions of the Act or relating to the enforcement of any provision of the Act, and in *Smith* v. *Interstate Commerce Commission,* 245 U. S. 33, the Court sustained the power of the Commission to investigate the expenditure by railroads of money for political purposes. In the Communications Act,[3] as in the amendment to the Interstate Commerce Act, full authority and power is given to the Commission with or without complaint to institute an inquiry concerning questions arising under the provisions of the Act or relating to its enforcement. This, we think, includes authority to obtain the information necessary to discharge its proper functions, which would embrace an investigation aimed at the prevention or disclosure of practices contrary to public interest. *Cf. Federal Trade Commission* v. *National Biscuit Co.,* 18 F. Supp. 667; *Fleming* v. *Montgomery Ward & Co.,* 114 F. 2d. 384, *cert. den'd.,* 311 U. S. 690.

If in this case it had been made to appear, as counsel for appellant insist, that the Commission's investigation was solely for the purpose of the consideration or adoption of a hard and fast rule or policy, as the result of which newspaper owners may be placed in a proscribed class and thus made ineligible to apply for or receive broadcast licenses, we should be obliged to declare that such an investigation would be wholly outside of and beyond any of the powers with which Congress has clothed the Commission. For we have previously held that there is nothing in the Act which either prevents or prejudices the right of a newspaper, as such, to apply for and receive a license to operate a radio broadcast station. *Tri-State Broadcasting Co.* v. *Federal Communications Comm.,* 68 App. D. C. 292, 96 F. 2d. 564. Further consideration confirms that view.

The Communications Act requires no more of an applicant for a radio license than proof of citizenship, character, and financial and technical qualifications to operate in the public interest. Possessing these, the applicant's eligibility is unchallengeable, assuming there is an unused frequency free of interference with an established station. This is the rule announced by the Supreme Court in the *Sanders* case.[4] But the determination of these qualifications is an administrative function which Congress has committed to the Commission, subject only to the requirement that in granting or refusing the license it shall act as the public convenience, interest, or necessity requires. This, however, as the Supreme Court remarked, is not a grant of unlimited power, but only the right to control the range of investigation in ascertaining what, within the compass of the Act, is proper to satisfy the requirements.[5] It does not embrace and should not be extended by implication to embrace a ban on newspapers as such, for in that case it would follow that the power to exclude exists also as to schools and churches; and if to these, the interdict might be applied wherever the Commission chose to apply it. This, we think, would be in total contravention of that equality of right and opportunity which Congress has meticulously written into the Act, and likewise in contravention of that vital principal that whatever fetters a free press fetters ourselves. In this view, we need not consider whether the power exists even in Congress, for Congress has not undertaken, and probably never will undertake, to delegate such power to the Commission. Hence it is that in the present state of the law a newspaper owner who is also the owner of a broadcast station may very well say to whoever challenges this dual right: "Who art thou that judgest another man's servant. To his own master he standeth or falleth".

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[1] Now, Therefore, It is Ordered, That, pursuant to the aforesaid order, testimony and other evidence be taken with reference to the following matters, in addition to such other matters as the Commission may from time to time direct:

1. To what extent broadcast stations are at present associated with persons also associated with publication of one or more newspapers, the classification (in terms of power, location, network affiliation, etc.) of broadcast stations so associated, the circumstances surrounding such association, and the tendency toward such association in the future.
2. Whether joint association of newspapers and broadcast stations tends or may tend to prejudice the free and fair presentation of public issues and information over the air, or to cause editorial bias or distortion, or to inject editorial policy or attitude into the public service rendered by broadcast stations as a medium of public communication.
3. Whether joint association of newspapers and broadcast stations tends or may tend to restrict or distort the broadcasting of news, or to limit the sources of news to the public; or to affect adversely the relation between newsgathering services and broadcast stations.
4. Whether the joint association of newspapers and broadcast stations has or may have any effect upon freedom of access to the radio forum, for the discussion of public issues.
5. Whether the joint association of newspapers and broadcast stations tends or may tend to lessen or increase competition among broadcast stations or to result in the monopolization of local broadcast facilities.
6. Whether the joint association of newspapers and broadcast stations tends or may tend to increase or decrease concentration of control over broadcast facilities or the use thereof.
7. Whether the joint association of newspapers and broadcast stations constitutes or may constitute an undue concentration of control over the principal media for public communication.
8. Whether joint association of newspapers and broadcast stations tends or may tend to result in the utilization of improved facilities and skilled, experienced personnel for the procuring and dissemination of information and opinion by broadcast stations.
9. Whether joint association of newspapers and broadcast stations tends or may tend to insure greater economic stability for broadcast stations and to encourage the maximum technological development of radio.
10. What considerations influence newspaper interests to acquire broadcast stations.

[2] Sec. 309(a):

> If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding . . .

[3] Sec. 403:

> The Commission shall have full authority and power at any time to institute an inquiry, on its own motion, in any case and as to any matter or thing concerning which complaint is authorized to be made, to or before the Commission by any provision of this Act, or concerning which any question may arise under any of the provisions of this Act, or relating to the enforcement of any of the provisions of this Act.

But in the view we take of this controversy, the Commission's independent right to carry on its proposed investigation is not foreclosed by anything we have said as to its lack of power to proscribe newspapers or, conversely, its power to place them in a preferred class. Nor is this right prejudiced by the fact—if it is a fact—that the Commission in inaugurating the investigation has misapprehended the limits of its powers. The Commission's right to grant licenses or to revoke licenses in the public interest, and likewise to make rules and regulations necessary to the carrying out of the provisions of the Act, implies the grant of all means necessary or appropriate to the discharge of the powers expressly granted.

In the case we have, the Commission in its supplementary order has specified the subjects about which it wishes to obtain information. These are: whether the joint association of newspapers and broadcast stations tends to prejudice the free and fair presentation of public issues and information over the air; whether such association tends to restrict or distort the broadcasting of news or to limit the sources of news to the public; whether such association affects freedom of access to the radio forum for the discussion of public issues, or unduly limits access of newsgathering services, to the injury of the public. From the other side of the picture, the Commission proposes to inquire whether association of newspapers and broadcast stations will result in utilization of improved facilities and experienced personnel in the procuring and dissemination of information, and whether such association may tend to insure greater economic stability and encourage maximum technology development, and finally, what considerations influence newspaper interests to acquire broadcast stations. These subjects, except perhaps the last named, are clearly within the inherent powers of the Commission. Based on these considerations, and although the information is not for use in any pending proceeding or pending legislation, it was nevertheless within the administrative powers of the Commission to initiate the proposed investigation for the purpose of ascertaining the facts for its guidance in making reasonable and proper public rules, for application to existing stations, and in the consideration of future requests.

In saying this we do not mean to hold or to suggest that the Commission is authorized to require appellant or other witnesses whom it may summon to bare their records, relevant or irrelevant, in the hope that something will turn up, or to invade the privacy protected by the Fourth Amendment, *cf. Federal Trade Comm.* v. *American Tobacco Co.*, 264 U. S. 298, but only that the Commission may, without interference, seek through an investigation of its own making information properly applicable to the legislative standards set up in the Act. We should not assume that the investigation will be conducted for any other purpose or in disregard of the constitutional limits which govern such procedure. *Fed. Radio Com.* v. *Nelson Bros. Co.*, 289 U. S. 266, 276. *Cf. Guthrie* v. *Harkness*, 199 U. S. 148.

The order of the court below is accordingly affirmed.

Affirmed.

EDGERTON, J.: Since the Commission does not appear to have forbidden common control of newspapers and broadcast stations, or to have found that such control is contrary to the public interest, or to have initiated an investigation with a view to such a finding, we need not determine whether it should or could do those things. I express no opinion on that question. I think we should wait until it arises and the interested parties, including the Commission, are heard upon it. In other respects, I concur in the opinion of the court.

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[4] *Federal Communications Comm.* v. *Sanders Radio Station*, 309 U. S. 470.

[5] *Fed. Radio Com.* v. *Nelson Bros. Co.*, 289 U. S. 266, 285.

Meetings

Wisconsin League of Radio Stations

The Wisconsin League of Radio Stations, one of the oldest of the state organizations, held a business session at Racine, on Monday, January 26. Problems incident to the war were the chief topic of discussion. Handling of news and supervision of those programs of a possibly dangerous nature were thoroughly discussed. Means of cooperating in the NAB program for training of radio technicians was given consideration.

A representative of the Office of Civilian Defense outlined the plan of that agency and appealed to the radio stations for assistance and cooperation. Carl Haverlin of BMI and Leonard Callahan of SESAC discussed the music situation and Harold Konnak, a Racine attorney, presented a paper on the application of the Wisconsin ASCAP law. NAB was represented at the meeting by C. E. Arney, Jr., Assistant to the President.

The election resulted as follows:

James Kyler, WCLO, Janesville, President; Rev. James A. Wagner, WTAQ-Green Bay, WHBY-Appleton, Vice President; Donald Burt, WSAU, Wausau, Treasurer; N. C. Ruddell, WATW, Ashland, Secretary; Harry LePoidevin, WRJN, Racine, and Edward Allen, WIBA, Madison, Directors.

Following is a complete list of the attendance: Donald Burt, WSAU; Joe Killeen, WSAU; John Gallagher, WHBY; Edward Allen and K. F. Schmitt, WIBA; N. C. Ruddell, WATW-WJMS; Haydn Evans, WTAQ; Wayne Cribb, WHBL; William Forrest, WIBU; Hiram Born, WHBL; Harry LePoidevin, WRJN; William Huffman, WFHR; Harold Newcomb, WRJN; James Kyler, WCLO; Sidney Bliss, WCLO; James McGenty, WJMC; Gaston Grignon and Woods Dreyfuss, WISN; Frank Starbuck, WRJN; Howard Wilson, WOSH; Charles LaForce, Ray Host and Charles Lanphier, WEMP.

Burt Squires, SESAC; Frank Chizzini, NBC Thesarus; C. E. Arney, Jr., NAB; Harold Konnak, Attorney; Sil Aston, Howard Wilson Co.; Leonard Callahan, SESAC; Alex Sherwood, Standard Radio; Carl Haverlin, BMI; Wallace Mitchell, United Press.

Oregon State Broadcasters Association

The annual meeting of the Oregon State Broadcasters was held in Portland, January 16, 1942. This meeting, one of the best attended in the history of the Association, featured radio's part in the war program with discussions on censorship, schools for technicians, programs, defense bonds and procedure for proper station operation for the duration.

Prof. A. L. Albert of O.S.C. made a report for Dean R. H. Dearborn of the college on training schools for technicians. Dean Dearborn has been appointed, by Governor Sprague, as central authority for the state for the purpose of establishing schools to train technicians for our armed forces.

The following resolution was passed by the Association:

Believing the radio industry of Oregon has a major role to play in the united war effort of the nation in providing vital information, especially that of a defense nature, Be It Resolved by the Oregon State Broadcasters Association that existing regulations for technical operators now in effect by the Federal Communications Commission be relaxed to permit Class III technicians employment provided Class I, experienced technicians are available on 24-hour daily call to supervise their work in cases of necessity, and

Be It Resolved that the present drain on operators' personnel for armed forces employment and related lines is so great, that this relaxation must be immediately employed to permit Oregon stations in many cases to remain on the air, and

Be It Resolved that copies of this resolution be furnished immediately to the Federal Communications Commission, the NAB, the Governor of Oregon and the Oregon defense administrator.

Henry Swartwood, KOIN, KALE, discussed censorship for radio. The importance of strict supervision over newscasts, ad-lib programs, quiz, man-on-the-street and request programs was mentioned as well as other information not to be broadcast for the duration. Swartwood pointed out that the responsibility for material broadcast rests squarely with the station. "You can't check too closely," he said.

A committee of Swartwood, Q. Cox, KGW-KEX, and Jim Wallace, KAST, was appointed to work out a plan that will be available to Oregon stations to check questionable news or programs. Portland stations have signified their willingness to act as a clearing house for out-state stations in securing information from responsible sources regarding questionable news or information.

PRODUCER'S RIGHTS UPHELD

Use of the words "Lone Ranger" and "Hi, yo, Silver" in an advertisement of a circus performer who had played the role of the Lone Ranger in a licensed motion picture, were held by the U. S. Circuit Court of Appeals for the Fourth Circuit to infringe the rights of the producer of the show (Lone Ranger, Inc. v. Cox, Jan. 5, 1942). Applying the principles of unfair competition, the court said:

"We entertain no doubt as to the power and duty of a court of equity to afford relief under such circumstances. While the case presented is not precisely similar to that kind of unfair competition involving the use of a corporate or business name or to the ordinary case involving the unfair use of trademarks and trade names, the principle involved is the same as that recognized in these cases, viz., that a court of equity should enjoin any form of 'passing off' which involves fraudulent appropriation, through devices calculated to deceive or mislead the public, of the business or good will which another has built up."

Wage-Hour

Senator Reed (R.-Kansas) on January 28 introduced a bill (S. 2232) that would extend the work week under the Fair Labor Standards Act of 1938 from forty hours to forty-eight hours. Enacted this would mean that time and one-half would be paid only for the hours worked in excess of forty-eight hours a week.

We print the bill below:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no employer shall be deemed to have violated section 7 (a) of the Fair Labor Standards Act of 1938 by employing any employee for a workweek in excess of forty hours during the remainder of the present war and for a period of six months thereafter, if such employee receives compensation for his employment in excess of forty-eight hours during such workweek at a rate not less than one and one-half times the regular rate at which he is employed.

FEDERAL COMMUNICATIONS COMMISSION

Fly Press Conference

Questioned early this week regarding the activities of the Defense Communications Board, James Lawrence Fly, F.C.C. Chairman, said the Board is making progress. For instance he pointed out that the Board has made much progress in connection with procuring for labor appropriate representation on the various committees and they are going along in good shape. He pointed out that this reflects "a cooperative and constructive attitude."

Mr. Fly said that he did not care particularly to comment on the order of the WPB requiring a forty per cent reduction in the manufacture of radio receiving sets. He expressed the opinion that the country has been pretty realistic about the whole defense situation and "its bearing upon this and other businesses. I don't think that the manufacturing industry could have anticipated going ahead at least at the pace that was set in 1941. I think most of the industry now is pretty busy on defense work anyhow. From a manufacturers point of view I doubt if there will be any serious injuries."

Chairman Fly was asked for comment on the action of the House of Representatives in passing the FCC Appropriations Bill so that no salary could be paid to Dr. Goodwin Watson, Chief Broadcast Analyst of the Foreign Broadcast Monitoring Service of the Commission.

Mr. Fly said that the Commission considers that Mr. Watson "has done a splendid job." He told the newsmen that Commissioner Durr has been designated by the Commission to handle the matter actively on behalf of the Commission and "he will undoubtedly be in touch with some of the Senators and they may have conferences with Dr. Watson. Of course that is up to the Senate Appropriations Committee and individual members of the Senate."

Mr. Fly stated that the Commission didn't know of any plans to restrict the appropriations as far as Dr. Watson is concerned until after the action was taken.

Chairman's Testimony on Appropriations

In his testimony before the Sub-committee of the Committee on Appropriations of the House on the Independent Offices Appropriation Bill last month, Chairman Fly touched upon applications for new stations, competition in the broadcasting field, renewal of licenses, network contracts with affiliates, taxation on stations and networks, and the monopoly investigation of chain broadcasting. Excerpts from the testimony are printed below:

General Routine Work of the Commission

Mr. Woodrum. Tell us something of the general work of the Commission, Mr. Fly, the routine work that you would have to do if there were no defense program.

Mr. Fly. The general routine work would cover the regular problems of broadcasting and radio communication, of telephone and telegraph, and the like.

The radio field broadly is advancing. That is, we have new problems every day brought up chiefly by the advances in the art.

For example, frequency modulation has developed rapidly through the years, and since we were here last year there have been numerous applications—they are in the hundreds—for frequency modulation broadcast stations. We have made a substantial number of grants and of course that work will be increasing just as a necessary and natural matter.

With reference to the standard broadcasting, the work there, with the vast number of applications and with the greater amount of engineering work to do, has been increasing. The directional antenna which has been developed in past years is becoming an almost habitual phase of transmission. Due to the crowding of the spectrum, instead of putting a man on a wave length where there would be no problem as between him and the other stations, or some slight interference, it is impossible to get him in there unless you rig up a very extensive, refined array of antennas, with the various electrical devices, so as to direct the signal in one direction or in two or three directions, and suppress it in one other direction or in two or three other directions. That simply means that while basically the problem is the same—that is, it is a matter of allocation—still when you come to work out one of those cases, in order to make it function, from an engineering point of view, it is much more complicated in the average application.

Then there is the international treaty which takes care in a sense of the division of the standard broadcasting part of the spectrum; the division of that and the division of the wavelengths as between this country and the other countries of North America. That involves day to day administration, correspondence, diplomatic and otherwise, conferences, trying to make all of these cases work out internationally. Any number of them have complications from that point of view.

The television industry is advancing and has been placed upon a commercial basis. It is moving forward quite satisfactorily.

Since we were here before, the most important change has been in the development, at least through the rudimentary stages, of a very interesting scheme of color television. It is thought that scenes might be picked up and broadcast, giving them in full color, in a rough sense comparable to your technicolor motion pictures.

Mr. FITZPATRICK. Do you find much opposition to television?

Mr. FLY. I find this, Mr. Fitzpatrick. There is some opposition in limited circles. I should imagine that it is hard to define, but as you know, when a vested interest is in there, and it is not consistent with television, you have to be on the alert for an opposition either open or undisclosed. And that, of course, is one of the problems in any infant industry.

Applications for New Stations—Competition in the Broadcasting Field

Mr. WOODRUM. Have you many new applications for new stations?

Mr. FLY. Yes, a large number. There seems to be no limit upon the number of applications. But, of course, the problem becomes more difficult. Take it in the standard band, where the spectrum is crowded.

Mr. WOODRUM. Where there are existing stations and there are applications to establish other stations, there has been some change in policy of the Commission in recent years about the granting of licenses; has there not? I do not suppose there have been many changes of policy, for that matter, but where there are already stations giving service and you have applications for new stations——

Mr. FLY. By different parties?

Mr. WOODRUM. Yes.

Mr. FLY. There has not been any substantial deviation in Commission policy there, Mr. Chairman. On the whole, I think the Commission has recognized that it cannot very well regulate the competition in the broadcast field. That is, in the statute you declared that it is a competitive industry and we cannot limit the income, we cannot regulate their advertising rates or have any control over profits, or anything of that sort. Of course, we would not endeavor to do so. It is supposed to be wholly competitive.

Then there arises a serious question as to whether we can guarantee existing stations' income by refusing to grant a license to an applicant who is qualified, where the existing stations insist that it will not be a profitable operation, and where it may even cause loss to themselves.

The Supreme Court has indicated a pretty definite disinclination to go into that question, leaving the industry pretty nearly as competitive as in retail grocery stores or drug stores, where there is no guaranty of income, and there is no limit on income, and you go in and establish your store and succeed if you can. The mere fact that there are one or two stores across the street is no bar to your going in.

Mr. WOODRUM. This is purely a licensing proposition. In the case of the grocery store, the Government is not interested in the grocery business, is not supposed to be, and it does not care how many people are in the grocery business or what kind of potatoes they sell. But you can hardly draw that parallel in radio broadcasting, because certainly the Government is interested in seeing to it that there is good service. It has struck me that it ought to be a matter in which the Commission was interested at least to this extent. Suppose in a community there are two stations giving good service to the community; and by giving good service I mean they are not only affording a means of advertising for the merchants who want to advertise, but they are bringing in sponsored programs which cost them money, and they have to have some income. They have to make some money in order to bring in the N. B. C. chain program or the C. B. S. chain program. Suppose—just to make an exaggerated case, in order to make the illustration—there is a fair economic return for two stations who are rendering good service in that community. Certainly the Commission would not want to see three or four other wildcat stations come in there and throw the whole thing out of gear, and all they would get would be Victrola records played all day long by three or four stations instead of getting good programs by two stations.

Mr. FLY. Yes; I think that is a factor that is deserving of some consideration. I do not know how we can do that to the full logical extreme, although, so long as you have said in the statute that it has got to be a competitive industry.

I do think this—and I think this squares with the Supreme Court's view—that where it can be shown in the extreme case that existing service will be destroyed, that in some way the public interest will be substantially affected in terms of destruction of service——

Mr. WOODRUM. Then you may take cognizance of it?

Mr. FLY. Then conceivably we may take cognizance of it. Because there it would have an impact, and a substantial impact, upon the public service.

Mr. HOUSTON. Is it not true that sometimes a third station coming into the community may serve to bring about the improvement in the service of the other two?

Mr. FLY. Competition is generally assumed to spur that on, that is true. And then, too, another thing that competition has done in this industry quite frequently is this. Competition in the facilities for advertising serves to stimulate advertising itself. If one wholesaler starts advertising his products, the other fellow begins to look alive and may determine that he has got to have a comparable means of advertising. So you cannot assume in advance that the income of two or three or four existing stations is going to be cut down, and that there will be then an equal division between them and the new station. It just does not work out that way.

Mr. HOUSTON. Advertising over the radio has not impaired the advertising value or the advertising income of the newspapers to any extent, has it?

Mr. FLY. The newspapers have maintained I think about as extensive a circulation as ever. There has been a long-range tendency in the newspaper field—and before radio came in, for that matter—to decrease the number of small newspapers. That might be traced a little to the radio, but I think you would have to consider there the factor of fast communication, of good roads, fast transportation, so that the big papers get out to the small town early. And when they can get a big and complete newspaper there at a respectable hour, they are not inclined to buy a smaller sheet that does not give them equivalent service. And then, there is a heavier investment in a newspaper plant than there used to be.

Renewal of Broadcasting Licenses—Advisability of Charging Fees

Mr. WOODRUM. Do you still have to renew applications periodically every 60 days or every 6 months, or whatever the period is—that is, for broadcasting licenses?

Mr. FLY. They are renewable every 2 years. We have gradually extended that.

Mr. FITZPATRICK. How much of a fee do they pay?

Mr. FLY. None.

Mr. FITZPATRICK. They do not pay any fee?

Mr. FLY. None, sir.

Mr. WOODRUM. You do not collect any fees at all?

Mr. FLY. None, sir. We have considered that problem and it is our feeling that the industry as a whole at least ought to cover the cost of regulation. That is a theory that has been carried into practice in a number of States in the regulatory field—public utilities and the like. We have considered the possibility of that sort of a tax or system of fees.

Mr. CASE. Would that be on a percentage or a flat fee?

Mr. FLY. We have considered different variations of the plan, sir. In the meanwhile, I was just about to say, the Treasury Department has concerned itself with the problem, I think perhaps from a revenue-producing point of view, and that would be something that would be more extensive than we had in mind. We have simply made our facilities and our information and our cooperation by staff available to the Treasury Department to see what may come out of that.

Mr. FITZPATRICK. Do you suppose that the commission would lose any of its independence if part of its salary came from the owners of the stations?

Mr. FLY. No, sir; I think not, if the Congress provided for the tax. I do not think the present Commission would lose its independence.

Mr. FITZPATRICK. I am not saying that it would. But I was wondering if it would have any bearing on it, if a certain percentage of the money came from the big interests; they might feel that you are partially an employee of theirs.

Mr. FLY. Well, they have felt that in years past to a considerable extent, anyway. But they would have no direct dealing with the Commission in the matter. It would be a tax matter and there would be perhaps only a nominal allocation of the funds to the Commission. I do not think that would be an appreciable factor.

Mr. WOODRUM. I suppose that amateur broadcasters are off the air now for the emergency?

Mr. FLY. Yes, sir; we felt obliged to do that because the thing is just too complicated. We could not watch and listen to them all, and we have got more listening and recording to do now than ever before.

Network Contracts with Affiliates

Mr. WIGGLESWORTH. Now I want to ask you one question about network contracts with affiliates. As I understand it, licensed affiliates frequently surrender control of their time to these networks to the extent, we will say, of over 40 percent.

Mr. FLY. Oh, yes; more than that.

Mr. WIGGLESWORTH. More than that?

Mr. FLY. Yes.

Mr. WIGGLESWORTH. And that they also authorize in those contracts the networks to increase or decrease the rate which they can charge for their time, and that frequently the chain will get as much as 80 percent of the return from the affiliate's charges. Now, is that a fair statement and, if so, what is the attitude of the Commission in respect to that practice?

Mr. FLY. On the first question, as to whether or not the networks control the rates which the station charges on its own time, that is, for its own local programs advertising national products at least one of the networks is N. B. C. I believe that is the only one. I do not want to be sure, but I will correct the record later if that is in error. The N. B. C. had a provision fixing those rates and requiring that the rates be the same, I believe, as were provided on the network programs. But in the rules which grew out of the monopoly investigation, the Commission prohibited such an agreement, such a restraint upon a station's liberty of action, and I think the practice of the network has since been abandoned. You gentlemen may be interested in reading our report on this point. The subject is discussed at pages 60 and 73.

Mr. WIGGLESWORTH. How about the other question?

Mr. FLY. On network programs, as to the amount the stations get out of it, it varies a great deal. By a very complicated system of calculation, the network contracts from station to station depending upon the audience which the station has, that is, the extent of coverage, the quality of the coverage, the number of people, and all that sort of thing and, for that matter, presumably the number of people who actually listen to the station. There may be other factors which enter into it, but the proportion that the station gets out of the fee for the program will vary considerably. It is clear that in many cases the network gets—I do not know whether it is 80 percent, but they do get the bulk of the fees that come in.

Mr. WIGGLESWORTH. Is that a matter that is left purely between networks and affiliates, or do you exercise any control over it?

Mr. FLY. We have no control over that, sir. That is something the statute does not authorize us to control.

Mr. WIGGLESWORTH. You could control it through your licensing power, of course.

Mr. FLY. Well, I am not sure of that.

Mr. WIGGLESWORTH. At any rate, you are not attempting to do so now?

Mr. FLY. That is right.

Mr. WOODRUM. Of course, one justification for that fee that the chain gets from the portion of fees charged is the fact that the chains give them sustaining programs, do they not—a lot of free programs?

Mr. FLY. Well, in effect they charge them for the sustaining programs and they pay them for carrying the commercials. Again, there is a pretty complex scheme of balancing them off.

Taxation on Stations and Networks

Mr. WIGGLESWORTH. Now, you spoke about the matter of taxation. As you know, a year ago the Treasury made a study and recommended some taxes on these chains which I think ran up to about $10,000,000 and the House put those taxes in the bill. Subsequently, I think you appear before the Senate Finance Committee in opposition to those taxes, and the Senate threw them out. I wonder if you have completed the study of that question that you have been working on for a good many years, and whether you have any recommendations?

Mr. FLY. I thought, sir, my previous answer had covered that. In view of the fact that the Treasury itself has begun a study of this specific subject—and I assume, of course, they are interested in it from a revenue-producing point of view—we have made our material and our personnel available to the Treasury so that what we have done by way of studies can be utilized in that way. You see, we are in somewhat of an embarrassing position. It is hardly our job, as a Commission, to appear before the Congress and recommend a tax measure, a revenue measure. Of course, we are concerned with it and that sort of thing, but we recognize that that is primarily a function of the Treasury Department.

Mr. WIGGLESWORTH. How do you reconcile that with the fact that, after they had studied the matter and made recommendations and the House had adopted it, you appeared in opposition before the Senate committee?

Mr. FLY. I think you will find there, sir, I did not appear in opposition to a tax. That was a high gross revenue tax and I did appear and I think it is not unfair to say in opposition. I expressed the thought it was dubious and I still think so. I do not think it was studied through. It would have hit rather severely in certain spots and perhaps it would not have touched substantially at all in many other spots. But I doubt if there was a feasible scheme of taxation, and certainly I was not opposed to the idea of taxation under a well-considered scheme of taxation of the industry; I think there ought to be one.

Mr. WIGGLESWORTH. I may be wrong in my figures and, if I am, I would appreciate it if somebody would correct them, but I think after the proposed Treasury tax of $10,000,000 had been imposed, the Treasury indicated there would still have been a 40-percent net profit to the stations and networks. I think also your own figures, which you have made public in the course of the last year or so, show that if you take the net profits of the net works and the 700 or more stations before Federal-income taxes are paid, there has been a net profit of something like 66 percent. And that if you do the same thing for just the networks and their 23 managed stations, you find a net profit of something like 300 percent. If those figures are anywhere near right, it seems to me there is every reason in the world, in these times, for imposing a substantial tax on those who are making a killing out of licenses from the Federal Government for which they do not pay a cent.

Mr. FLY. I agree with you, sir, that there is an appropriate field here for taxation and that many of them can pay such a tax without there being any substantial impact. For example, many of them can pay a tax without being driven out of the profit class. Of course, the major return in the industry is to the networks.

Monopoly Investigation of Chain Broadcasting

Mr. WIGGLESWORTH. Just one other thing. I understand there is an injunction sought by the three big chains against a threatened antitrust investigation.

Mr. FLY. No. The injunction is sought against the antimonopoly regulations which the Commission has issued.

Mr. WIGGLESWORTH. What lawyer is representing the Government in that connection?

Mr. FLY. Our General Counsel and his assistants are doing the most of the work, sir, in cooperation with the Department of Justice.

Mr. WIGGLESWORTH. Where does Mr. Cahill come into the picture?

Mr. FLY. Mr. John Cahill is former United States Attorney in the Southern District of New York and now a member of the law firm of Wright, Gordon, Zachry, Parlin, and Cahill.

Mr. Wigglesworth. Is Mr. Cahill representing the networks?

Mr. Fly. He has represented the National Broadcasting Co. and, Judge John Burns, former General Counsel of the Securities Commission, up to the present time has represented the Columbia Broadcasting System. Recently Charles Evans Hughes, Jr., has been brought into the case by the Columbia Broadcasting System, and I think he and Judge Burns are associated in the case.

Mr. Wigglesworth. Where does Mr. Brodsky come into the picture—Mr. Samuel Brodsky?

Mr. Fly. Well, Mr. Brodsky is a special assistant attorney general attached to the United States district attorney's office at New York and where, as here, the United States is formally a party in the proceedings he, of course, represents the United States. The Commission, however, is the main party defendant and is the active defendant.

Mr. Wigglesworth. Was Mr. Brodsky a former assistant to Mr. Cahill?

Mr. Fly. Yes; he was an assistant in the district attorney's office when Cahill was there. He was not appointed by Cahill. And I ought to say that the United States attorney there who was formerly associated with Cahill's firm excused himself because of the fact he was formerly associated with Mr. Cahill.

Mr. Wigglesworth. There has been no association between Cahill and Brodsky?

Mr. Fly. None other than I have indicated.

Mr. Wigglesworth. Now, I do not know whether you saw this, but I will just read a quotation from one of the recent radio business letters. I do not know whether there is any further comment you may care to make or not. The letter says:

> * * * In 1940 the Antitrust Division wearied of the Federal Communications Commission monopoly investigation of chain broadcasting and demanded all of the evidence and testimony given to the Federal Communications Commission in this inquiry. Federal Communications Commission delayed but promised to get out its monopoly report right away and then send over the desired records. Then the Antitrust Division began to prepare its own action against National Broadcasting Co. and Columbia Broadcasting System and any others believed violating the Sherman Act. However, the Federal Communications Commission issued its chain broadcasting rules and Thurman Arnold's office sat back to see if they would have a salutary effect upon the industry. When radio executives resorted to congressional committees and then showed signs of going into court, Thurman Arnold called officers of National Broadcasting Co., Columbia Broadcasting System, and Mutual Broadcasting System into his office to tell them that he had an antitrust case against them in his mind. That was on October 29, and the next day National Broadcasting Co. and Columbia Broadcasting System went into court to ask injunction against the United States (Federal Communications Commission).
>
> Since the Antitrust Division of the Department of Justice is assigned to defend the Federal Communications Commission in the Federal courts, it was understood that Victor O. Waters, of the Department of Justice staff, began to study the National Broadcasting Co. and Columbia Broadcasting System arguments. Then in a surprising move Attorney General Biddle appointed Samuel Brodsky as Special Assistant to the Attorney General, which left the Antitrust Division wondering if its own case against the radio companies had not already received a coup de grâce.

Is there any additional comment you want to make?

Mr. Fly. I think our own case, that is, the Commission's own report, and the regulations resulting from that were brought into issue by this injunction suit, in which the networks are the plaintiffs and, in that, we have had the cooperation of the department generally—the Attorney General and members of the staff, particularly of the Antitrust Division, including Mr. Waters and others. But the question as to whether the department itself would bring an antitrust action against the networks was a different question and would have involved a different case, in which the United States would have appeared as the plaintiff and as the prosecuting agency, and would have been doing it pursuant to the antitrust laws.

Mr. Wigglesworth. Has that been dropped now? What is the status? Has it been dropped, pending a hearing on the injunction?

Mr. Fly. I do not know, sir. I know it has been given substantial attention by the Department of Justice over a long period, and more intensively since we forwarded our record over there after we completed our own report. I do not know whether they have concluded to proceed or to abandon.

Mr. Wigglesworth. What is the status of the injunction proceeding?

Mr. Fly. There are presently pending motions by the networks for a preliminary injunction and we, in turn, have motions to dismiss and for summary judgment.

Mr. Wigglesworth. When will those be heard?

Mr. Fly. They will be argued next Monday, December 15.

Mr. Wigglesworth. That is all I have, Mr. Chairman.

Mr. Woodrum. Thank you, gentlemen.

BUREAU OF STANDARDS FREQUENCY BROADCAST

The standard frequency service of the National Bureau of Standards station WWV has been extended to include another carrier frequency (15 megacycles). Temporary equipment is still in use while a new transmitting station is being built. The broadcast is continuous at all times day and night from 1-kilowatt transmitters, and carriers the standard musical pitch and other features. The radio frequencies are:

5 megacycles (= 5000 kilocycles = 5,000,000 cycles) per second
15 megacycles (= 15,000 kilocycles = 15,000,000 cycles) per second.

The standard musical pitch carried by the broadcasts is the frequency 440 cycles per second, corresponding to A above middle C. In addition there is a pulse every second, heard as a faint tick each second when listening to the 440 cycles. The pulse lasts 0.005 second, and provides an accurate time interval for purposes of physical measurements.

The 440-cycle tone is interrupted every five minutes for one minute in order to give the station announcement and to provide an interval for the checking of radio measurements based on the standard radio frequency. The announcement is the station call letters (WWV) in telegraphic code (dots and dashes).

The accuracy of the 5- and 15-megacycles frequencies, and of the 440-cycle standard pitch as transmitted, is better than a part in 10,000,000. Transmission effects in the medium (Doppler effect, etc.) may result in slight fluctuations in the 440-cycle frequency as received at a particular place; the average frequency received is however as accurate as that transmitted. The time interval marked by the pulse every second is accurate to 0.000 01 second. The 1-minute, 4-minute, and 5-minute intervals, synchronized with the seconds pulses and marked by the beginning and ending of the announcement periods, are accurate to a part in 10,000,000. The beginnings of the announcement periods are so synchronized with the basic time service of the U. S. Naval Observatory that they mark accurately the hour and the successive 5-minute periods; this adjustment does not have the extreme accuracy of the time intervals, but is within a small fraction of a second.

In general, during the *winter day*, the 5-Mc carrier frequency can be used at all distances out to about 1000 miles and the 440-cycle tone out to about 700 miles; the 15-Mc carrier frequency is usable from about 800 to 5500 miles, and the 440-cycle tone from about 800 to 4000 miles. During the *winter night*, i.e. between about 8 p. m. and 6 a. m. EST, the 5-Mc carrier frequency is usable from about 700 to 7000 miles and the 440-cycle tone from about 700 to 5000 miles; the 15-Mc broadcast is not usable during the winter night, except for the short-distance ground wave (see below). During the *summer day*, the 5-Mc carrier frequency is usable at all distances out to about 400 miles and the 440-cycle tone out to about 300 miles; the 15-Mc carrier frequency is usable from about 900 to 3000 miles and the 440-cycle tone from about 900 to 2500 miles. During the *summer night* before midnight EST, the 5-Mc carrier frequency is usable out to about 2500 miles and the 440-cycle tone out to about 1400 miles, except for a period of 2 or 3 hours before sunrise when it is difficult to receive at distances between about 50 and 400 miles; the 15-Mc carrier frequency is usable from about 1000 to 7000 miles and the 440-cycle tone from about 1000 to 5000 miles.

Besides the distances covered by the sky wave as just described, the ground wave provides coverage at short distances as follows. *At all times*, the 5-Mc carrier frequency is usable out to about 100 miles and the 440-cycle tone out to about 50 miles; and the 15-Mc carrier frequency is usable out to about 70 miles and the 440-cycle tone out to about 35 miles.

The service from the temporary transmitters will continue for some months. It will be continuous except for such breakdowns as may possibly occur because of the use of temporary apparatus. As rapidly as possible the Bureau is establishing a new station to provide more fully than in the past standard frequencies reliably receivable at all times throughout the country and adjacent areas.

Radio Training Courses

A dramatized show, backed up by Joey Kerns' orchestra, in behalf of radio technician training courses, has been scheduled by WCAU, Philadelphia, for Sunday, February 8, 11:05-11:30 a. m. It is to be a fast moving show of the "Hurrah America" type. One part will dramatize the use of radio in the Signal Corps and another in the Navy.

This sort of "extra" promotion everywhere will serve to build up a backlog of candidates for these courses. Since State Coordinators have been urged to insert one question covering applicants' draft status this procedure will tend to eliminate those who should not take the course at this time. Emphasis should be placed on men who are ready to serve their country.

While radio technician training courses are being continued and others inaugurated, the good old U. S. Navy continues to reiterate its need for this classification. One of the announcements which the Navy has released for broadcast during the week of February 2 says:

"Attention, *all radiomen* . . . from 17 to 50! The United States Navy needs you . . . and offers you well-paid jobs—to help smash the totalitarian attack on this country! Here are facts about your enlistment . . . if you are qualified: Pay—$72 a month plus keep! Allowances for dependents—$1.15 a day! Initial clothing provided! And you'll be given six to eight months' free schooling in operation and care of radio locators, transmitters, receivers, and under-water sound equipment! If you're a high school graduate . . . and *have had experience with radio* . . . your chance to do most for America is to serve as a radio expert in the Naval Reserve! Join today . . . at your nearest Navy Recruiting Station! Knowledge of telegraph code is *not* required!"

MAILING TO ALL STATIONS

A mailing left Washington January 28 addressed to all stations from A. J. Fletcher, member-in-charge, Radio Technician Training.

All stations are urged to provide the information which Mr. Fletcher requires for the most efficient administration of this job. Enclosed were three suggested spot announcements which carefully detailed the points to stress in the air campaign. One of the announcements prepared by WLS, slightly changed to include an additional fact or two, produced over 2,004 inquiries. He called attention to the fact that men qualified for military service have first preference in this training.

ST. OLAF COLLEGE

Peter E. Fossum, institutional representative, St. Olaf College, Northfield, Minn., has written that his college intends to participate in the radio technician training program. It is planned to institute the first 16 week program not later than February 15. The training program was called to the attention of St. Olaf by Manager M. C. Jensen, radio station WCAL, Northfield, Minn.

MISSISSIPPI

During the week details of the radio technician program were forwarded to D. M. Nelson, president and professor of physics, Mississippi College, Clinton, and to G. L. Harrell, professor of physics, Millsaps College, Jackson.

CHICAGO

Applications running into many thousands have been received by Illinois Coordinator Henry T. Heald, president, Illinois Institute of Technology, Chicago. From the way the Windy City broadcasting industry and the educators are taking hold of things it is apparent that Chicago will become one of the large training centers of the country. W. E. Hutchinson, station WAAF, Chicago, is the Industry Representative for Illinois.

Carl Meyers, WGN, chief engineer (MBS) is Chairman of the Institution and Instructor Personnel Committee. Other members are Theodore Schreyer, NBC Central Division, and Charles Warriner, president, Associated Broadcasting Technicians' Unit of IBEW, and a staff engineer of WBBM.

Al Hollander, WJJD-WIND, and Frank Baker, WLS, compose the Publicity Committee, while H. B. Lemmon, University of Chicago, A. B. Bronwell, Northwestern University, and R. I. Saracher, Illinois Institute of Technology, make up the Application Processing Committee.

UNIVERSITY OF SANTA CLARA

George L. Sullivan, institutional representative ESMDT, University of Santa Clara, intends to participate in the radio technician training program. In a letter to C. L. McCarthy, KQW, San Francisco, Mr. Sullivan wrote:

"I believe that we can perform a valuable service for defense and I appreciate very much your willingness to cooperate by designating one of your men to help teach the work and by making some of your facilities in San Jose and Alviso available for use in this instruction work."

NIAGARA FALLS

Earl C Hull, general manager, WHLD, Niagara Falls, N. Y., has forwarded his first 100 letters of application for radio technician training courses to the Coordinator for upper New York.

MILES CITY

Royal E. Nelson, chief engineer, KRJF, Miles City, Mont., wrote that his station had made arrangements for radio technician training classes in Miles City. "We have been given the use of the high school labs for classes and we will donate as much equipment as we can to the cause," Mr. Nelson said. "As our classes advance we will give our students actual experience at control operation on the equipment here at the station . . . this will better prepare students that are going to pass on as full-fledged radio technicians."

DELIVERED 2004 LETTERS

Station WLS has already delivered 2,004 letters to 32 State Coordinators in the radio technician training program. This was up to January 19. One thousand eighty-seven were delivered to Coordinator Henry T. Heald, president, Illinois Institute of Technology, Chicago, of Illinois. The remainder were divided among 31 states.

WLS' announcement asked listeners to send their inquiry to their nearest radio station if they live outside of Illinois.

NORTH CAROLINA

Twelve more radio technician training courses are expected to begin in North Carolina approximately February 2. Among the cities in which new courses will be given are: Asheville, Elizabeth City, Gastonio, Greensboro, Goldsboro, Hickory, Kinston and Rocky Mount.

LYNCHBURG

Word comes from WLVA, Lynchburg, Va., that over 100 applications have been received for radio technician training courses.

TWIN FALLS

F. M. Gardner, KTFI, Twin Falls, Idaho, writes: "Announcements have been running a couple of days and we have 21 good letter responses, in addition to many inquiries over the telephone."

CANADA DIRECT

It will be appreciated if broadcasters who receive radio technician inquiries from Canada, in error, will mail such letters directly to Glen Bannerman, president, Canadian Association of Broadcasters, 1801 Victory Building, Toronto, Ontario. Mr. Bannerman will complete the delivery by turning the letters over to an appropriate agency in Canada.

KENTUCKY

Nathan Lord, Industry Representative for Kentucky, reports that courses will be definitely established in the following cities: Ashland, Harlan, Lexington, Louisville, Ownesboro, Bowling Green, Hopkinsville, Paducah and Henderson.

They will vary in number from twenty to one hundred twenty men each, the latter, of course, being divided into several sections. In addition it is planned to start more courses whenever and wherever possible.

"In the main," said Mr. Lord, "classes will be held at radio stations although in one or two instances high schools with physics laboratories have been selected. Also the radio stations will provide most of the necessary equipment."

The organization meeting last week was attended by station owners, managers and chief engineers as well as educators. In addition representatives attended ABTU, NYA and Ken-Rad Radio Company.

The Universities of Louisville and Kentucky are the only schools with engineering departments so all of these courses in Kentucky will be under their supervision.

DETROIT

Detroit is assured of radio technician training courses in the very near future because of leadership of the University of Detroit and Wayne University. Decision to organize radio classes by Wayne University was transmitted by A. R. Alliason, head, Electrical Engineering Department.

Ralph R. Johnson, Industrial Coordinator, College of Engineering, University of Detroit, indicated the decision of his school to participate in the program on January 23.

BLOOMINGTON

A. M. McGregor, WJBC, Bloomington, Ill., has mailed his first batch of radio technician training course applications to the State Coordinator. They were 27 "good" prospects, he said.

LANSING

Harold F. Gross, president, WJIM, Lansing, is preparing to do an outstanding job. His engineers have already offered their services as instructors so as to increase the number of courses that may be given.

KALAMAZOO

Kalamazoo College and Western Michigan College, are both located in Kalamazoo, home of WKZO. Station President, John E. Fetzer, has had conferences with representatives of both institutions and with Mr. Libby from the office of the State Coordinator, Dean Dirks of Michigan State College. He writes: "I believe before long we can have these courses opened up here and are bending every effort toward that end."

GASTONIA

Pat McSwain, WGNC, Gastonia, N. C., writes: "A class of 40 or 45 will begin here February 16 with three qualified instructors . . . with the seven additional applications we are sending to the State Coordinator we have a total of 94 applicants."

ST. NORBERT COLLEGE

As result of the call for the institution of radio technician training courses there is to be much teaching activity in and around Green Bay, Wis. At the request of the station management of WTAQ, Green Bay, and WHBY, Appleton, Rev. L. F. Jacobs, has been designated to direct the training program. There will be courses for the public, high school students and college students.

On the campus of St. Norbert College, West De Pere, five miles from Green Bay, there will be both a day course and a night course. A night course will also be given in Green Bay. For the benefit of its students St. Norbert College has definitely incorporated a technician training program in its curriculum, which begins February 2. There will be a course in principles of radio, electricity and magnetism.

St. Norbert high school will offer an introductory course in radio to juniors and seniors provided they meet the requirements. This work will be given by Rev. Father A. Le Mieux, who has done graduate work in radio and electronics.

Arrangements are being made to give an introductory course in radio at Central High School in Green Bay.

W. Stengel, chief engineer, WTAQ and WHBY, will assist Father Le Mieux in the high school work. Rev. Jacobs will take over lectures to the public as well as to the college.

Other members of the station operating staff will lend their services to the construction of demonstration and laboratory equipment.

TWO MORALE SHOWS

"Keep 'em Singing," 10:45 p. m., Saturday nights, preceding the WWVA Jamboree, is taking the place of "Inquiring Mike," in accordance with radio code. "Keep 'em Singing" is a community sing period and the name was given by listeners. Paul J. Miller, production manager, says:

"The more we think of keeping 'em singing the more we feel that this is a job for the broadcasters to keep up the morale of the country by keeping millions in a singing mood, while at the same time utilizing the many defense announcements, which are of course very necessary."

"America Answers" is a Monday, Wednesday and Friday morning show over WSIX, Nashville, Tenn., which has been inaugurated as a morale show.

Early in the series WSIX interviewed youths as they came to enlist in various branches of the service. One of the first young men interviewed was George Hill from Cookeville, Tenn., a nephew of the famous hero of World War No. 1, Alvin York.

The news photo of the Hill youth enlisting was widely used in newspapers throughout the country.

J. T. Bernard, manager, radio programs, RCA Manufacturing Company, has arranged to include manpower announcements for the Army, Navy, Marine Corps and Coast Guard in the "Music You Want" programs.

A PROGRAM SUGGESTION

An interested radio listener has sent in the following:

"It was my suggestion that every radio station in the United States broadcast the Star Spangled Banner every Sunday afternoon at the exact time of the Pearl Harbor attack in their respective time zones. This would continue until the end of the war.

"While tire rationing and possible ration tickets will make most Americans aware of the fact that we are at war, there are still too many of our people who are too apathetic.

"The Star Spangled Banner played on Sunday afternoons followed by a stirring announcement that at that time on December 7th the integrity of the United States had been challenged might do much to bring home the fact that we were in an all out war."

RADIO SET PRODUCTION CUT

The War Production Board, through Acting Director of Priorities, J. S. Knowlson, on January 24, issued Limitation Order L-44, which reduces the production of new radio receiving sets. The curtailment order provides for an average monthly reduction in production, during the next 90 days, of more than 40 per cent below the monthly output during the nine months ending September 30, 1941. Similar cuts were ordered in the number of tube sockets in the sets produced, which will result in corresponding curtailment of the number of tubes used in new sets.

One of the reasons for the order was to provide manufacturing facilities for the manufacturing industry to undertake a two billion dollar military production program. Civilian output must be reduced drastically, it was explained, so that receiver and parts makers and allied branches of the industry can participate in this effort to the fullest possible capacity. The War Production Board estimates that 60,000,000 radios are now distributed among 87 per cent of the American homes. Permitted civilian production during the next 90 days, together with stocks now in manufacturers' and dealers' hands, it was stated, will meet essential replacement requirements.

STATION EMPLOYEES BUY SAVINGS BONDS

Paul W. Morency, General Manager of WTIC and W53H, advises that all employees of both stations have subscribed to a payroll deduction plan for the purpose of purchase of United States Savings Bonds. We would be pleased to hear from other stations with respect to similar cooperation.

Sales

Campbell-Ewald Proposal

Some stations have received a proposal from the Campbell-Ewald Agency, offering transcribed programs for local syndicated sale. The Agency proposes to charge a fixed fee for the programs, and also wants regular agency commission of 15% on the basis that they "will assist in the local sale."

NAB member stations have pointed out that this is entirely at variance with standard advertising procedure, since the agency could hardly give any actual sales help on a local account, would not service it, would not write the commercial copy, and would not be the agency of record on the account. Another station comments that it appears "Campbell-Ewald want us to take over their new business department."

Vita-Phates, Inc.

Vita-Phates, Inc., 2770 Broadway, New York, a vitamin-mineral product, has queried some stations for availabilities through the Walter W. Wiley Agency. The company is extremely small; Miss E. Buzby, secretary, reports that a small amount of radio time was used but results were disappointing and she is not interested in further radio. The Manufacturers Trust Co., given as a business reference, reports that the company has maintained a "very small balance"—less than $100.

Hotels and Restaurants

A "Summary Table" on hotel and restaurant radio advertising, compiled from reports to "The Broadcast Advertising Record," is available to member stations upon request. The table contains a 59-page list of hotels and restaurants using radio, and shows stations used and service purchased during the period of January-April, 1941. If you wish a copy, write the Department of Broadcast Advertising.

Mail-Pull Stations Wanted

The Peabody Co., Box 3661, Miami, Fla., manufacturers and distributors of razor blades, cameras, hosiery, etc., have written the NAB for data "on stations that sell merchandise direct to the consumer and the quantity of mail that they pull."

Any stations interested are invited to send evidence of their mail-pulling ability to that address. It is understood that regular rates would be paid.

When NOT to Advertise

A western advertising manager, after reading a report on "The Importance of Advertising Under Present Conditions" sent to his clients the following letter, which uses effective reverse English to emphasize the importance of making advertising keep pace with war orders:

> "Within the last few weeks I have read a number of statements regarding the importance of advertising under present conditions. After digesting the material it seems to me that a manufacturer—or business man—who finds himself in an oversold condition, or who expects shortly to be oversold, can with all logic discontinue his advertising, provided the following conditions prevail:
>
> 1. His present competitors stop advertising.
> 2. No new competitors enter the field.
> 3. No one discovers a substitute for his product.
> 4. None of his present dealers goes out of business.
> 5. No new dealers enter the picture.
> 6. The public stops forgetting.
> 7. The public stops being born.
> 8. The public stops dying.
> 9. *He expects to go out of business as soon as the parade is over."*

Gov. Lehman Asks Advertising

Gov. Herbert H. Lehman of New York has recommended a continuation of state advertising in his annual budget message to the legislature, although asking a $5,000,000 reduction in the total state budget. Details are given in *Radio Daily* for January 27. Governors and legislators of other states with advertising appropriations should be interested.

Department Store Scripts Wanted

The Retail Reporting Bureau, 171 Madison Ave., New York, is cooperating with the NAB in its campaign to interpret radio advertising to department stores. The Bureau issues *"Retail Advertising Week,"* a service for department store advertising managers, for which the stores pay a substantial subscription fee.

Milton B. Conhaim, head of the Bureau, has agreed to devote space regularly to radio. Previous issues have dealt almost exclusively with newspaper advertising.

Stations are requested to cooperate by sending to Mr. Conhaim complete scripts used by department stores, as well as all other information on the campaigns that they can supply. Active cooperation by NAB member stations will go a long ways towards developing additional department store revenue.

Progress Among Theatres

That some progress has been made in the industry drive to secure more advertising revenue from amusement enterprises, and especially from motion picture producers and exhibitors, is shown by a response from Robert D. Hussey, Director of Radio Activities for Paramount Pictures, Inc., to the NAB Department of Broadcast Advertising.

Weekly radio scripts, furnished by Hussey's department to radio stations, are designed for sponsorship by local accounts, he said.

"Budgets set up by our advertising representatives throughout the country always contain allotments for radio advertising directly proportionate to billboard and newspaper advertising. Paramount has repeatedly suggested to such (local) exhibitors the wisdom of purchasing radio time as an excellent advertising medium. For several years past we have offered them without cost, recorded spot announcements and 15-minute transcribed programs, through the use of which they buy local radio time. A recent survey discloses that as a result of our efforts, exhibitors releasing Paramount pictures have led the field in the purchase of radio spot announcements and time programs."

Growing paper shortages are expected to work to radio's advantage as a local theatrical advertising medium, as it has already done in Australia. Member stations have pointed out that increased amusement billings can be obtained partly through greater sales effort, and partly through the exercise of greater care in the donation of free time to amusement enterprises.

Per-Inquiry and Free Time

United Radio-Television Institute, Inc., Newark, N. J., is seeking per-inquiry deals for its correspondence course, purporting to train radio technicians.

United Advertising Companies, Inc., Chicago, previously listed in REPORTS, is now offering proposals on behalf of Westminster Insurance Agency, stating that "we are buying this on a straight time basis. However, should the station fail to produce inquiries at (a stated sum) each, we will be forced either to cancel or discontinue payment for time until the number of inquiries reaches the figure of (the stated sum) per inquiry."

Aviation Arts, Hollywood, wants per-inquiry deals on its "Wings for Americans" booklet.

Barbara Gould, Inc., New York, is sending scripts to "beauty editors" and conductors of women's programs asking free promotion for its Barbara Gould Blackhead Treatment and Evening in Paris cosmetics.

The Ferriss Pharmacal Co., Chicago, has circularized stations with a P-I proposal on Cahill pipes and tobacco. The letter mentioned such leading stations as WLS, WJR and WLW, although it did not state that they were accepting the business on a contingent basis. *These stations definitely do not accept that kind of business and their orders were placed at regular rates.* E. F. Hinkamp, president of the company and author of the circular, has written NAB that his circular did not say the stations mentioned were on a per-inquiry basis, and that "it certainly was not intended." This case is similar to others where the call letters of leading reputable stations have been used, and other stations have been led to believe that per-inquiry business was being accepted. Stations are advised to be on the alert for such statements, and not to be misled by vague or clever phraseology.

Requests for free time have been sent to stations by **France-Libre-Unie, Inc.** (United Free France), of New York. This organization, while undoubtedly serving a worthy cause, is extremely small and local in its operations. It occupies one office in an old building on Lexington Avenue, has no regular staff, but is served chiefly by volunteers. Its monthly financial report for December showed proceeds of $1550.45, of which 75% went to a trust account for material aid to the Free French Colonies, and 25% to a general expense account.

ANNUAL ADVERTISING AWARDS

Speakers for the Annual Advertising Awards Presentation Dinner at the Waldorf-Astoria on February 6 have been announced by F. C. Kendall: W. L. Batt, Chief, Requirements Committee, War Production Board; Thomas E. Dewey, and Sir Gerald Campbell.

CONFERENCE ON CHILDREN'S RADIO PROGRAMS

Dr. John W. Studebaker, U. S. Commissioner of Education and FREC Chairman, announces that on February 9 a meeting of his Committee will be held to consider the possibility of establishing a special research and service agency devoted to improvement of children's radio programs. This is an important conference to all radio broadcasters and suggestions that might be helpful are cordially solicited. NAB will be glad to clear these through to the Committee.

LEGISLATION

FEDERAL

S. 2232 (Reed, R-Kansas) WAGES AND HOURS—To provide that the workweek established by the Fair Labor Standards Act of 1938 shall temporarily be extended from forty hours to forty-eight hours. Referred to Committee on Education and Labor.

STATE

NEW YORK:

S. 462 (Williamson) SMALL LOAN INTEREST—ADVERTISING—Requires that in advertising for loans and in other statements by licensed lenders of small loans, rate of interest or charge shall be stated as rate per centum per month on unpaid principal balances. Referred to Committee on Banks.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 2. They are subject to change.

Monday, February 2

WJAX—City of Jacksonville, Jacksonville, Fla.—C. P., **930 kc.**, 5 KW, DA-night, unlimited.

Consolidated Hearing

NEW—Beauford H. Jester, Waco, Texas.—C. P., **1230 kc.**, 250 watts, unlimited.

NEW—Roy Branham Albaugh, Waco, Texas.—C. P., **1230 kc.**, 250 watts, unlimited.

Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main & auxiliary), **920 kc.**, 1 KW night, 5 KW day, unlimited.

Friday, February 6

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—C. P., **860 kc.**, 5 KW night, 10 KW day, DA-night, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted renewal of license for the period beginning February 1, 1942 (B1-R-138).

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Granted modification of temporary license (B-ML-1103), pending decision on renewal application, to change frequency from **790** to **990 kc.**, and increase day power from 2½ to 5 KW.

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Granted extension of Special Service Authorization (B3-SSA-24) to operate unlimited hours with 1 KW night, 10 KW LS simultaneously with WBAL for the period ending February 1, 1943.

WJNO—Laura O'Brien, Executrix under the Last Will & Testament of J. J. O'Brien, deceased (transferor); Louis Marshall Heminway and John Hylan Heminway (transferees), West Palm Beach, Fla.—Granted consent (B3-TC-281) to relinquishment of control of WJNO, Inc., Station WJNO, from Laura O'Brien, Executrix under the Last Will and Testament of J. J. O'Brien, deceased, to Louis Marshall Heminway and John Hylan Heminway.

Board of Education, City of Buffalo, Buffalo, N. Y.—Granted construction permit (B1-PED-24) for new station to operate on **42900 kc.**, 1 KW, special emission for frequency modulation. Applicant proposes to broadcast educational programs, including science, art, music, English, vocational guidance, safety, and national defense, to the school system of Buffalo, embracing 13 high schools and 80 grammar schools with more than 75,000 students, as well as general educational and patriotic programs to the general public. Secondarily, will provide training of students in radio operation and transmission. Station will be located at Seneca Vocational High School.

New Jersey Broadcasting Corp., Jersey City, N. J.—Granted construction permit (B1-PH-70) for new station to operate on **49100 kc.**, with a service area of 6,200 square miles.

Bremer Broadcasting Corp., Jersey City, N. J.—Granted construction permit (B1-PH-72) for new station to operate on **49500 kc.,** with a service area of 6,200 square miles.

Radio Service Corp. of Utah, Salt Lake City, Utah.—Granted construction permit for new station to operate on **331060 kc.,** 25 watts and special emission for frequency modulation on an experimental basis only, to be used in connection with applicant's FM broadcast station K47SL; granted subject to condition that no construction be undertaken pending completion of the investigation under Order No. 79 (B5-PST-5).

Westinghouse Radio Stations, Inc., Boston, Mass.—Granted construction permit (B1-PST-9) for new station to operate on **331600 kc.,** 25 watts, on an experimental basis only, to be used in connection with applicant's international broadcast station WBOS.

WWPG—R. S. Erskine (transferor), Charles E. Davis (transferee), Lake Worth Broadcasting Corp., Lake Worth, Fla.—Granted consent to the acquisition of control of Lake Worth Broadcasting Corp. (Station WWPG), from R. S. Erskine to Charles E. Davis, by transferring 40 shares of stock for a consideration of $4,000 (B3-TC-286).

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—Granted modification of license (B5-ML-1102) to increase night power from 500 watts to 1 KW, subject to proof of interference protection to Canadian Station CFCT.

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted construction permit for installation of 100 watt booster amplifier for use during daytime in connection with Station WSAI.

W9XCV—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted application for modification of construction permit for experimental television relay broadcast station for extension of commencement and completion dates to April 27 and October 27, 1942, respectively.

W6XHT-W6XHH—Hughes Tool Co., San Francisco, Calif., Los Angeles, Calif.—Granted application for modification of construction permits for experimental television broadcast stations W6XHT and W6XHH for extension of commencement and completion dates for a period of 6 months from January 15, 1942.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for further extension of temporary license for period of 90 days, from February 1, 1942, pending Commission action on applications requesting WBAX facilities.

DECISIONS

The Commission announced proposed grant of a construction permit to the Brown Radio Service and Laboratory, Gordon P. Brown, owner, to change the operating assignment of Station WSAY, at Rochester, N. Y., from **1240** to **1370 kc.,** increase power from 250 watts to 1 KW, move transmitter site locally, make changes in transmitting equipment, and install directional antenna for both day and night use (B-145). A mutually exclusive application by Edward J. Doyle of Rochester for the same facilities, which figured in a joint hearing, was denied, but without prejudice to the right of Doyle to apply for the frequency to be vacated by WSAY or any other available frequency.

The Commission also announced proposed grant of a construction permit to Western Gateway Broadcasting Corporation for a new broadcast station at Schenectady, N. Y., to operate on **1240 kc.** with power of 250 watts, unlimited time. In so doing it, of necessity, proposed denial of an application by Van Curler Broadcasting Corporation for the same facilities.

On August 14, 1940, the Van Curler application was granted and the Western Gateway application was designated for hearing. Thereafter, on October 2, 1940, the Commission, upon considering petitions for rehearing, set aside the Van Curler grant and ordered a consolidated hearing, which was held April 3, 4 and 5, 1941.

On the basis of this hearing and other record the Commission in its Proposed Findings (B-143) concludes:

"Western Gateway Broadcasting Corporation is qualified in every respect to construct and operate the station proposed; it proposes to render a balanced program service comparable to that normally provided by local broadcast stations; and its proposed station would provide a satisfactory technical service throughout the City of Schenectady and the rural areas contiguous thereto.

"As already shown, one of the three directors of Van Curler Broadcasting Corporation, while testifying under oath, deliberately misrepresented the facts concerning the payment for his stock in the company, and it was only after persistent cross-examination that he finally revealed the true facts in connection therewith. This factor is vital in that it would reflect upon the credibility of statements or information which the Commission may require him to supply as a director of the corporation in connection with the operation of the proposed station. In the performance of our duties we must, among other things, determine whether the operation of proposed stations, or the continued operation of existing stations, would serve public interest, and in so doing "we are, of necessity, required to rely to a large extent upon statements made by station licensees, or those connected therewith. Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy. Taking cognizance of the attempt of the witness to mislead the Commission, and his connection with Van Curler Broadcasting Corporation, we are of the opinion that this applicant is not qualified to become the licensee of the station proposed by it. Moreover, while this applicant has made a showing of the public service programs * * * it expects to broadcast, it has not adduced evidence as to its other program plans. We are, therefore, unable to find from this record that the applicant, Van Curler Broadcasting Corporation, would provide a well-balanced program service, or a service comparable or superior to that proposed by Western Gateway Broadcasting Corporation.

"After considering the foregoing factors in the light of the entire record, we conclude, and so find, that the granting of the application of Western Gateway Broadcasting Corporation (Docket No. 5900) would, but that of Van Curler Broadcasting Corporation (Docket No. 5196) would not, serve public interest, convenience and necessity. Having reached this conclusion, it follows that the application of Western Gateway Broadcasting Corporation should be granted and that of the Van Curler Broadcasting Corporation denied."

DESIGNATED FOR HEARING

Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane, d/b as Hoosier Broadcasting Co., Indianapolis, Ind.—Designated for hearing application for construction permit (B4-P-3292) for a new station to operate on **810 kc.,** 250 watts, daytime.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Designated for hearing application for modification of construction permit (B4-MP-1210; B4-ML-386) for approval of directional antenna for day and night use on frequency **1380 kcs.** with power of 5 KW.

LICENSE RENEWALS

Granted renewal of following broadcast station licenses for the period ending in no event later than October 1, 1942:

KGDE, Fergus Falls, Minn.; KGFW, Kearney, Nebr.; WTOL, Toledo, Ohio; KAND, Corsicana, Tex.; KIUL, Garden City, Kans.; KSUB, Cedar City, Utah; WDSM, Superior, Wisc.; KADA, near Ada, Okla.; KAVE, Carlsbad, New Mexico; KVNU, near Logan, Utah.

Granted renewal of following broadcast station licenses for the period ending in no event later than October 1, 1943:

KEUB, Price, Utah; KDNT, Denton, Tex.; WMSD, Muscle Shoals City, Ala.; WIBM, Jackson, Mich.; WGPC, Albany, Ga.

Granted renewal of following broadcast station licenses for the period ending in no event later than August 1, 1943:

KIUN, Pecos, Tex.; KIUP, Durango, Colo.; KTSW, Emporia, Kans.; KRMC, Jamestown, N. Dak.; WFOR, Hattiesburg, Miss.; WHUB, Cookeville, Tenn.; WGIL, Galesburg, Ill.; WCBY, Columbus, Miss.; KGFL, Roswell, New Mexico; KICA, Clovis, New Mexico; KTEM, Temple, Tex.

Granted renewal of following broadcast station licenses for the period ending in no event later than December 1, 1943:

KOVC, Valley City, N. Dak.; WKBZ, Muskegon, Mich.; KVOE, Santa Ana, Calif.; WGKV, Charleston, W. Va.; WMJM, Cordele, Ga.; WHBB, Selma, Ala.; KWEW, Hobbs, N. Mex.; KTOH, Lihue, Hawaii; WMRN, Marion, Ohio.

Granted renewal of following broadcast station licenses for the period February 1 1942, to not later than February 1, 1944:

KMMJ, Grand Island, Nebr.; WMAZ and auxiliary, Macon, Ga.; WLAW, Lawrence, Mass.; WABC and auxiliary, New York, N. Y.; WHKC, Columbus, Ohio.

Granted renewal of following broadcast station licenses for the period February 1, 1942, to not later than April 1, 1944:

KYW, Philadelphia, Pa.; WHO, Des Moines, Iowa; WMBI, Chicago, Ill.; WNEW and auxiliary, New York, N. Y.; KFBK, Sacramento, Calif.; KSL, Salt Lake City, Utah; KTHS, Hot Springs National Park, Ark.; WCAR, Pontiac, Mich.

Granted renewal of following broadcast station licenses for the period February 1, 1942, to not later than February 1, 1944:

WFAA, Dallas, Tex.; WSM and auxiliary, Nashville, Tenn.; WSB and auxiliary, Atlanta, Ga.; WOR and auxiliary, New York, N. Y.

Granted renewal of licenses for the following stations for the period February 1, 1942, to February 1, 1944:

KGO and auxiliary, San Francisco; WENR, Chicago; WJZ and auxiliary, New York City.

Licenses for the following stations were further extended upon a temporary basis, pending determination upon application for renewal, for the period ending March 1, 1942:

KFJB, Marshalltown, Iowa; WBRB, Red Bank, N. J.; WFTC, Kinston, N. C.; WGCM, Gulfport, Miss.; WGRM, Greenwood, Miss.; WJMA, Covington, Va.; WCBT, Roanoke Rapids, N. C.; KATE, Albert Lea, Minn.; KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KFGQ, Boone, Iowa; KGIW, Alamosa, Colo.; KGKL, San Angelo, Texas; KPLT, Paris, Texas; KRBC, Abilene, Texas; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; WMAN, Mansfield, Ohio; KVRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; WBNY, Buffalo, N. Y.; KVWC, Vernon, Texas; WFPG, Atlantic City, N. J.; WGNC, Gastonia, N. C.; WKBV, Richmond, Ind.; WKEU, Griffin, Ga.; WMFJ, Daytona Beach, Fla.; WMIS, Natchez, Miss.; WRJN, Racine, Wisc.; WSPB, Sarasota, Fla.; KFBI, Wichita, Kans.; WMEX, Boston, Mass.; KGGF, Coffeyville, Kans.; WOWO, Fort Wayne, Ind.; WNYC and auxiliary, New York; KOA, Denver; KWJJ, Portland, Ore.; KWKH, Shreveport, La.; WDGY, Minneapolis, Minn.; WDZ, Tuscola, Ill.; WGY, Schenectady, N. Y.; WHB and auxiliary, Kansas City, Mo.; WJSV, Washington, D. C.; WKBW, Buffalo, N. Y.; WLW, Cincinnati, Ohio; WOI, Ames, Iowa; WPTF and auxiliary, Raleigh, N. C.; WQXR and auxiliary, New York City; WRUF, Gainesville, Fla.; KXL, Portland, Ore.; WIBC auxiliary, Indianapolis, Ind.; KITE, Kansas City, Mo.; WORK, York, Pa.; WGY auxiliary, Schenectady, N. Y.

Granted renewal of licenses on a temporary basis only, pending receipt of and determination upon application for renewal, for the period ending April 1, 1942:

KGU, Honolulu, T. H.; KTRB, Modesto, Calif.; WCAZ, Carthage, Ill.; WLB, Minneapolis, Minn.

Granted extension upon a temporary basis only, pending receipt of and/or determination upon applications for renewal of license, in no event later than March 1, 1942, of following licenses:

W2XAB, New York, N. Y.; W2XVT, Passaic, N. J.; W2XWV, New York, N. Y.; W3XE, Philadelphia, Pa.; W3XP, Philadelphia, Pa.; W9XBT, Chicago, Ill.; W9XUI, Iowa City, Iowa; W10XKT, Allen B. DuMont Laboratories, Inc., portable mobile.

WLWO—The Crosley Corp., Cincinnati, Ohio—Granted renewal of license for the period ending November 1, 1942.

Granted renewal of following television station licenses for the period February 1, 1942, to February 1, 1943 (areas shown):

W2XBT, New York, N. Y.; W2XBU, New York, N. Y.; W3XAD, Camden, N. J.; W3XEP, Camden, N. J.; W6XAO, W6XDU, Los Angeles, Calif.; W9XZV, Chicago, Ill.; WNBT, New York, N. Y.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1942.

W2XVP—City of New York, Municipal Broadcasting System, New York City, N. Y.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1942.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1942.

MISCELLANEOUS

WFIN—Findlay Radio Co., Findlay, Ohio—Granted license (B2-L-1585) to cover construction permit (B2-P-2846) for new station; **1330 kcs.**, 1 KW, daytime. Also granted authority to determine operating power by direct measurement (B2-Z-1322).

KSCJ—Perkins Bros. Co. (The Sioux City Journal), Sioux City, Iowa—Granted license (B4-L-1574) to cover construction permit (B4-P-2290) for installation of directional antenna for night use, and increase in power to 5 KWS; also authority to determine operating power by direct measurement (B4-Z-1313).

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted license (B3-L-1586) to cover construction permit (B3-P-3369) for installation of new transmitter.

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Granted license (B4-L-1552) to cover construction permit (B4-P-2821) for installation of directional antenna for night use, and increase in power. Also authority to determine operating power by direct measurement of antenna input (B4-Z-1281).

KPRO—Broadcasting Corp. of America, Riverside, Calif.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1323).

WCRC—Columbia Broadcasting System, Inc., Brentwood, N. Y. —Granted license (B1-LIB-21) to cover construction permit (B1-PIB-26) authorizing a new international broadcast station; **6060, 6120** (conditionally), **6170, 9650, 11830, 15270, 17830, 21520, 21570 kc.;** 50 KW; sharing with WCBX on all frequencies; share **6060** with KWID.

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—Granted license (B2-L-1584) to cover construction permit (B2-P-3149) for new station; **860 kc.;** 250 watts; daytime. Also authority to determine operating power by direct measurement of antenna power (B2-Z-1321).

WARM—Union Broadcasting Co., Scranton, Pa.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-432).

WELE—WBNS, Inc., Portable-Mobile, Area of Columbus, Ohio —Granted license (B2-LRE-372) for reinstatement of license of relay station; **31220, 35620, 37020, 39260 kc.;** 2 watts; to be used with standard broadcast station WBNS.

KCRC—Enid Radiophone Co., Enid, Okla.—Granted license (B3-L-1594) to cover construction permit (B3-P-3400, to reinstate B3-P-2810) for increase in power to 1 KW; new transmitter and direction antenna for day and night use, and authority to determine operating power by direct measurement (B3-Z-1330).

Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to eliminate the usual hour and half-hour station identification on all radio broadcast stations affiliated with the Columbia network during the President's Birthday Ball broadcast between 11:15 p. m., EST, January 30, 1942, and 12:15 a. m., EST, January 31, 1942, only.

Mutual Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to eliminate the pause for station identification on all radio broadcast stations affiliated with the Mutual network during following programs: "March of Dimes" from 11:15 p. m., EST, January 24, 1942, to 12:15 a. m., EST, January 25, 1942; "Birthday Greetings" from 12 midnight, EST, January 29, 1942, to 1 a. m., EST, January 30, 1942; and the President's Birthday program from 11:15 p. m., EST, January 30, 1942, to 12:15 a. m., EST, January 31, 1942, only.

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile (area of New York City)—Granted modification (B1-MPVB-68) of construction permit (B1-PVB-46) which authorized a new television relay broadcast station, for extension of completion date to July 7, 1942.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted special temporary authority to operate ST station W2XEO on **331,000 kc.**, 50 watts, special emission for frequency modulation, using temporary antenna located on roof of building, 408 State St., Schenectady, in order to relay programs to High Frequency Broadcast Station W47A (which operates under special temporary authority) for a period ending not later than February 24, 1942, pending completion of construction in accordance with permit.

W2XOY—General Electric Co., New Scotland, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43200 kc.,** 2500 watts, special emission for frequency modulation, with the transmitter located at New Scotland, N. Y., for period January 28 to not later than February 24, 1942.

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Granted extension of special temporary authority to operate frequency modulation station commercially on **45500 kc.,** 3000 watts, special emission for frequency modulation, with transmitter located at 606 West Wisconsin Ave., Milwaukee, from January 26 to not later than March 26, 1942, subject to any rules and regulations that may be adopted by the Commission.

Blue Network Company, Inc., New York, N. Y.—Granted special temporary authority to eliminate the pause for station identification on all radio broadcast stations affiliated with the Blue Network during programs broadcast in the interest of the campaign for funds to fight Infantile Paralysis on following dates: 11:15 p. m., EST, January 24, 1942, to 12:15 a. m., EST, January 25, 1942; 12 midnight, EST, January 29, 1942 to 1 a. m., EST, January 30, 1942; and 11:15 p. m. EST, January 30, 1942, to 12:15 a. m., EST, January 31, 1942, only.

National Broadcasting Co., Inc., New York, N. Y.—Granted special temporary authority to eliminate the pause for station identification on all radio broadcast stations affiliated with the NBC Red Network during programs broadcast in the interest of the campaign for funds to fight Infantile Paralysis on following dates: 11:15 p. m., EST, January 24, 1942, to 12:15 a. m., EST, January 25, 1942; 12 midnight, EST, January 29, 1942, to 1 a. m., EST, January 30, 1942; and 11:15 p. m., EST, January 30, 1942, to 12:15 a. m., EST, January 31, 1942, only.

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted modification of construction permit as modified for installation of new transmitter, directional antenna for night use, change frequency, increase power and move transmitter, for extension of completion date from January 21 to April 21, 1942 (B3-MP-1481).

WIBA—Badger Broadcasting Co., Madison, Wis.—Granted modification of construction permit as modified for new transmitter, increase in power, changes in directional antenna system, move studio and transmitter, for extension of completion date from January 20 to February 20, 1942 (B4-MP-1493).

WGTM—WGTM, Inc., Wilson, N. C.—Granted extension of special temporary authority to operate with studio at 115 West Nash St., Wilson, N. C., in lieu of site specified in construction permit, from January 22 to not later than February 20, 1942.

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—Granted motion for leave to file appearance in re application for modification of construction permit to operate on **860 kc.,** 500 watts daytime; previously due January 15, 1942.

WHEC—WHEC, Inc., Rochester, N. Y.—Granted petition for dismissal without prejudice application for construction permit to operate on **790 kc.,** 5 KW, unlimited, directional antenna night and day.

William J. Bray, James L. Ewing, T. B. Lanford, and John C. McCormack, d/b as Capitol Broadcasting Co., Port Allen, La.—Granted petition to dismiss without prejudice application for construction permit for new station.

The Constitution Broadcasting Co., Atlanta, Ga.—Granted motion for leave to amend application for new station so as to specify a different directional antenna design or a different site, or both, on condition that the amendment is filed within 14 days; continuance denied.

WELL—Federated Publications, Inc., Battle Creek, Mich.—Granted motion for continuance of hearing in re application for renewal of license, now scheduled for March 4, to March 16, 1942.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted motion for leave to amend application to substitute photographs of proposed site, in re construction permit to operate on **1190 kc.,** 50 KW, unlimited time, directional antenna night; not removed from docket.

KFRO—Voice of Longview, Longview, Tex.—Granted motion that hearing on application for modification of construction permit to operate on **1370 kc.,** 5 KW, unlimited, directional antenna night, be continued for 90 days (May 18, 1942); hearing was scheduled for February 16, 1942; denied as to request to place in pending files.

Bob Jones College, Inc., Cleveland, Tenn.—Granted motion for leave to amend application for new station with respect to directional antenna design, on condition that amendment is filed within 14 days; hearing now scheduled for March 16; denied as to continuance of hearing.

News Syndicate Co., Inc., New York, N. Y.—Granted motion for order to take deposition in re hearing on application for construction permit for new station.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Denied petition to intervene and to enlarge issues in re hearing on applications of Yankee Broadcasting Co., Inc., New York, N. Y., and Newark Broadcasting Corp., Newark, N. J., for new stations; exception noted by counsel for WCAX.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—Granted extension of special temporary authority to operate unlimited time instead of S. H.—6 p. m. to midnight, LST, from January 21 to not later than March 1, 1942.

KGA—Louis Wasmer, Spokane, Wash.—Granted special temporary authority to operate with power of 5000 watts on nondirectional antenna, using transmitting equipment specified in construction permit and located at 4102 South Regal St., Spokane, in lieu of site specified in existing license, for a period not to exceed 30 days, pending completion of construction, provided present tower dismantled immediately when operation begins at new site.

W67NY—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate frequency modulation station W67NY commercially on **46700 kc.,** 3 KW, special emission for frequency modulation, using temporary antenna, with transmitter located at 500 Fifth Ave., New York City, from January 30 to not later than March 30, 1942, pending completion of construction in accordance with construction permit as modified.

W49PH—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W49PH commercially on **44900 kc.,** 1 KW, special emission for frequency modulation, using temporary coaxial antenna, with transmitter located at 35 South Ninth St., Philadelphia, from February 2 to not later than April 2, 1942, pending completion of construction in accordance with construction permit as modified.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—On Commission's own motion supplemented the notice of issues heretofore released on the application for construction permit (Docket No. 6129).

W47A—The Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted extension of special temporary authority to operate high frequency broadcast station W47A on a commercial basis, using temporary antenna system and temporary main studio at the transmitter of the subject station, pending completion of construction and submission of additional data with license application, for the period January 27 to not later than February 25, 1942.

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate television broadcast station WCBW in accordance with construction permit (B1-PCT-2 as modified B1-MPCT-3) except with four KW aural and visual power from January 27 to not later than February 25, 1942.

W2XYC—General Electric Co., Schenectady, N. Y.—Granted extension of special temporary authority to use already licensed Class I experimental Station W2XYC on **161775 kc.,** power of 25 watts, special emission for frequency modulation, in order to relay to high frequency experimental station W2XOY programs originating in the General Electric studios in Schenectady, N. Y., for a period beginning February 2, 1942, and ending in no event later than March 3, 1942, pending action on application for construction permit and installation of ST transmitter.

W2XQR—John V. L. Hogan, Long Island City, N. Y.—Granted extension of special temporary authority to operate on **45900 kc.,** with 1000 watts power, special emission for frequency modulation, using temporary antenna, with transmitter located atop the Chanin Building, 122 East 42nd Street, New York City; composite maximum rated carrier output 1000 watts; facsimile modulation may be employed in connection with the program of research and experimentation. (No authority is contained herein to conduct a facsimile broadcast service.) Authority granted from January 27 to not later than March 28, 1942.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to operate auxiliary transmitter of Station WAAB as an auxiliary transmitter for Station WNAC for a period not to exceed 30 days, pending filing of and action on application for same.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted special temporary authority to install and operate composite 1 KW transmitter, using 660-foot tower with non-directional antenna, at Madera and North Avenues, Kerman, Calif., in lieu of site specified in existing license, for a period not to exceed 10 days.

WQXR—Interstate Broadcasting Co., Inc., New York City.—Extended special temporary service authorization from February 1, 1942, to no later than March 1, 1942, to operate with power of 10 KW, non-directional antenna, unlimited time, on **1560 kc.**, subject to condition that if and when Cuba signifies its intentions of using its facilities on this channel, the licensee herein will take such steps as are necessary to comply with previous authorization (B1-MP-1086) in time to prevent objectionable interference to Cuba.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Denied request for special service authorization to operate from sunset Buffalo to local sunrise with power of 1 KW, employing non-directional antenna.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Denied petition for review by the Commission en banc of the action of the Motions Commissioner on January 16, 1942, denying a petition to intervene in the consolidated hearing of Yankee Broadcasting Co., Inc., and Newark Broadcasting Corp., for a new station in the New York City area to operate on **620 kc.**, approved action of Motions Commissioner in denying petition to intervene.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Denied petition to reconsider and grant without hearing application for a construction permit to change operating assignment from **1240 kc.**, 250 watts power, unlimited time, to **580 kc.**, 1 KW, unlimited time, with directional antenna night (hearing scheduled for February 27, 1942).

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Denied motion and supplement thereto to return the application of Thomas Patrick, Inc. (KWK), for construction permit (B4-P-2364) to the applicant and cancel hearing thereon (Docket No. 5701).

WPER—Tropical Broadcasting Co., De Land, Fla.—On advice that permittee has decided not to proceed with construction, Commission retired construction permit to closed files and deleted station and call letters.

APPLICATIONS FILED AT FCC

550 Kilocycles

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Construction permit for changes in transmitting equipment, changes in antenna system, change in frequency from **1490** to **550 kc.**, using power of 100 watts night, 250 watts day.

610 Kilocycles

NEW—The Continental Broadcasting Co., Salt Lake City, Utah.—Construction permit for a new broadcast station to be operated on **610 kc.**, 1 KW, unlimited time, using directional antenna. Amended: re site and changes in directional antenna.

630 Kilocycles

WMAL—M. A. Leese Radio Corp., Washington, D. C.—Modification of license to change name to The Evening Star Broadcasting Co.

660 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Construction permit to change frequency from **610** to **660 kc.**, increase power from 1 to 10 KW, and install new transmitter.

680 Kilocycles

WPTF—WPTF Radio Co., Raleigh, N. C.—Authority to determine operating power by direct measurement for main transmitter.

WPTF—WPTF Radio Co., Raleigh, N. C.—Authority to determine operating power by direct measurement for auxiliary transmitter.

920 Kilocycles

WJAR—The Outlet Company, Providence, R. I.—Construction permit to make changes in and move old main transmitter to site new transmitter and use as auxiliary transmitter with power of 1 KW.

930 Kilocycles

NEW—Paducah Newspapers, Inc., Paducah, Ky.—Construction permit for a new broadcast station to be operated on **930 kc.**, 1 KW, unlimited time, using directional antenna for day and night use. Amended: to request transmitter site at E. of Brookport, Ill., and make changes in directional antenna.

1080 Kilocycles

WINK—Mid-America Broadcasting Corp., Louisville, Ky.—Modification of construction permit (B2-P-2760) for a new station, requesting change in type of transmitter and extension of commencement and completion dates from 1-12-42 and 7-12-42 to 60 days after grant and 180 days thereafter, respectively.

1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—Construction permit to reinstate B1-MP-322 as modified for increase in power from 1 KW night, 5 KW day to 5 KW day and night, installation of directional antenna for day and night use and changes in equipment and to request directional antenna for night use only.

1280 Kilocycles

WMRO—Martin R. O'Brien, Aurora, Ill.—Modification of license for change in power from 250 watts to 100 watts night, 250 watts day and hours from daytime to unlimited.

1340 Kilocycles

WGTM—WGTM, Inc., Wilson, N. C.—Voluntary assignment of license and permit from WGTM, Inc. to Penn T. Watson.

1360 Kilocycles

WSAI—The Crosley Corp., Cincinnati, Ohio—Modification of construction permit (B2-P-2221) as modified for increase in power, installation of directional antenna for night use, move of transmitter, requesting changes in directional antenna, extension of completion date from 7-15-41 to 180 days after grant, and booster station on 100 watts, daytime, to use directional antenna day and night. Amended: to request directional antenna night only.

1440 Kilocycles

WHIS—Daily Telegraph Printing Co., Bluefield, W. Va.—Construction permit to increase power from 500 watts night, 1 KW day to 5 KW, installation of directional antenna for night use, install new transmitter and move transmitter.

1450 Kilocycles

WNOE—WNOE, Inc., New Orleans, La.—Authority to determine operating power by direct measurements.

1490 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—License to cover construction permit (B5-P-3351) for move of transmitter. Amended: to correct type number of transmitting equipment.

KPAB—Mervel M. Valentine, Laredo, Texas.—Voluntary assignment of license from Mervel M. Valentine to The Pan American Broadcasting Co., Inc.

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Construction permit for installation of new transmitter.

FM APPLICATION

K37LA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PH-45) for a new high frequency broadcast station, requesting approval of directional antenna system for a coverage of 34,960 square miles and approval of transmitter. Population: 3,597,000.

TELEVISION APPLICATIONS

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Modification construction permit (B2-PVB-47) as modified for a new television broadcast station, requesting extension of commencement and completion dates from 1-28-41 and 1-28-42 to ?. Amended: to request extension of completion date only from 1-28-42 to 3-28-42.

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kansas—Modification of construction permit (B4-PVB-25) as modified for a new television broadcast station, requesting extension of completion date from January 15, 1942, to 7-15-42.

MISCELLANEOUS APPLICATIONS

KSDS—San Diego Unified School District, San Diego, Calif.—Modification of construction permit (B5-PED-20) for a new non-commercial educational broadcast station, requesting extension of completion date from 2-24-42 to 7-1-43.

NEW—The Associated Broadcasters, Inc., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 50 watts, Emission A3.

FEDERAL TRADE COMMISSION DOCKET

COMPLAINTS

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Abbot Manufacturing Company—Alleging misrepresentation in connection with the sale of perfume, a complaint has been issued against Miahati, Inc., and Andrew Apicella and Jean Vivaudou, trading as Oceanic Import Co., 377 Fourth Ave., New York, and Abbot Manufacturing Co., 551 Fifth Ave., New York. (4671)

Associated Tailors—A complaint has been issued charging Lea H. Heller, Michael Heller, and Harry Hindlemann, trading as Associated Tailors and Associated Denver Tailors, Denver, Colo., with misrepresentation in the sale of men's clothing. (4672)

Curtiss Candy Co., Chicago, is charged with price and other discrimination in violation of the Robinson-Patman Act and monopolistic practices in violation of the tying or exclusive dealing section of the Clayton Act, in a complaint. (4673)

Detroit Rex Products Company—Complaints have been issued charging Detroit Rex Products Co., 13011 Hillview Ave., Detroit, and G. S. Blakeslee & Co., 1844 South 52nd Ave., Cicero, Ill., with misrepresentation and unfair disparagement of a competitor's product in connection with the sale of synthetic solvent degreasing machines and synthetic degreasing solvents consisting of trichlorethylene. The Detroit company's solvents are known as "Triad" and "Perm-A-Clor" and the Blakeslee firm's solvent as "Blacosolv." (4674-4678)

Walter H. Johnson Candy Co., Chicago, is charged with price discrimination in violation of the Robinson-Patman Act, in a complaint. (4677)

Liquid Tight Paper Container Association—Eight manufacturers of cylindrical liquid tight paper containers and the trade association of which they are members are charged in a complaint with engaging in practices, including price fixing, for the purpose and with the effect of restraining and suppressing competition and creating a monopoly in the sale of their products. Respondents named in the complaint are:

Liquid Tight Paper Container Association, 1532 Lincoln-Liberty Building, Philadelphia, and its secretary and manager, George J. Lincoln, Jr.; Boothby Fibre Can Co., 84 Linden Park St., Boston; Gordon S. Smith and George T. Hynes, trading as Champion Container Co., Third and Somerset Sts., Philadelphia; Fonda Container Co., Inc., 2150 Erie St., Utica, N. Y.; Mensha Products Co., Menasha, Wis.; Minkoff & Rosenfield Brothers, Inc., trading as Miro Container Co., 557 DeKalb Ave., Brooklyn; Russell Box Co., 200 Boston Ave., Medford, Mass.; Sealright Co., Inc., Fulton, N. Y.; and Sutherland Paper Co., Kalamazoo, Mich. (4675)

CEASE AND DESIST ORDERS

No cease and resist orders were issued last week by the Commission.

STIPULATIONS

During the past week the Commission announced the following stipulations:

Baum Laboratories, 71 Fresh Pond Road, Brooklyn, stipulated that he will discontinue representing that his "Baum's Ace Brand Corn, Callous and Bunion Salve" is a competent treatment, an effective remedy or a cure for corns, callouses, warts, bunions or ingrown toenails; that it is harmless or entirely safe under conditions of continued or repeated use; that it is either "new" or a "scientific remedy" for disfigured feet due to corns and bunions or that the results to be obtained from its use are guaranteed, unless, whenever the word "guaranteed" is used, clear and unequivocal disclosure is made as to what is offered by way of security. The respondent also agrees to stop disparaging competing products and to discontinue use of the word "Laboratories" as a part of his trade name. (3372)

Bireley's, Inc., 1127 North Mansfield Ave., Hollywood, Calif., distributor of food concentrates used in compounding soft drinks, entered into a stipulation to cease and desist from representing that the drink designated "Bireley's Orange" is made wholly or predominantly of orange juice; that a bottle of the drink contains the juice of a whole orange when, in fact, the orange juice content is less than that of an average sized orange, or that the drink will aid in the prevention of colds, prevent an oversupply of white corpuscles in the blood or build up red corpuscles. The respondent also agrees to discontinue representing that the drink designated "Tomato Cocktail" is composed of tomato juice or that the drink called "Bireley's Grape" is a real fruit beverage. (3365)

M. Chorost & Co., 1013 Broadway, Brooklyn, which used the so-called "Synthetic Rajah Mohair" in the manufacture of certain furniture, entered into a stipulation with the Commission. The copartners in the firm of M. Chorost & Co. are Morris and Gertrude Chorost, Benjamin and Florence Miller, and Julius and Alice Tarr. (3369)

R. D. Cortina Co., Inc., trading as Cortina Academy, 105 West 40th St., New York, made a stipulation to cease representing that the Cortina "learn by listening" method, taught by correspondence course, is the quickest and easiest way ever devised to study a foreign language and will enable a person to speak Spanish or any other foreign language at once.

The respondent further agrees to cease advertising that the Cortina method will enable a person, within any definite time, to master a foreign language or speak it fluently and correctly with perfect understanding and full knowledge of its finer shades of meaning or well enough to qualify the pupil for positions requiring ability to speak the language like a native. (02937)

Carl Griesbaum, 325 Mountain Road, Union City, N. J., engaged in the sale of chenille fabrics, stipulated that he will cease and desist from advertising, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing, by use of the word "rayon," that such products are composed of or contain rayon; and, when a product is composed in part of rayon and in part of other fibers or materials, will discontinue failing to disclose each constituent fiber, in the order of its predominance by weight beginning with the largest single constituent, in immediate connection with and in type equally conspicuous as the word "rayon." The respondent also agrees to cease using the word "Persian" or any other words connoting fur as descriptive of fabrics made or composed of fibers other than fur and to discontinue advertising, labeling or selling fabrics composed of fibers other than fur under any representations or conditions of deceptive concealment whereby purchasers may be misled into buying such fabrics in the belief that they are composed of fur. (3371)

Erwin W. Hasebroock, 307 South Second St., Norfolk, Nebr., who sells a book called "Permanent Relief from Sinus Trouble and Asthma," stipulated to cease representing that an observance of the advice contained in the book will have any effect in the treatment of asthma or afford permanent relief from sinusitis. (02939)

Hillshire Down—Marion E. Baldwin, trading as Hillshire Down, Killingly, Conn., entered into a stipulation to cease and desist from certain representations in the sale of cosmetic preparations designated "Hillshire Down Goat Milk Hand and Arm Cream," "Hillshire Down Goat Milk Massage and Cleansing Cream," and "Hillshire Down Lotion." (02938)

Max Hollinger, 134 West 29th St., New York, dealer in fur garments, entered into a stipulation to cease and desist from invoicing or otherwise designating or describing any fur or fur garment in any manner other than by use of the correct name of the fur as the last name of the description thereof, and, when any dye, blend or process is used in simulating another fur, the true name of the fur appearing as the last name of the description shall be immediately preceded, in equally conspicuous type by the word "dyed," "blended" or "processed" compounded with the name of the simulated fur. According to the stipulation, the respondent, in invoices to retail dealers, designated certain fur garments as "Gray Broadtail Ensemble" or as "Gray Broadtail Coat & Hat," when, in fact, the garments so described were not made of broadtail peltries, that is, peltries of baby lambs of the Karakul breed of sheep, but were manufactured from peltries other than broadtails. (3370)

National Radio Institute, 16th and U Sts., N. W., Washington, D. C., selling a correspondence course of instruction designated "Course in Practical Radio and Television," stipulated that it will cease and desist from representing that it has obtained employment for students with any particular radio concern when such is not a fact and that its course covers all the radio requirements needed to qualify one for a license to serve as a ship radio operator.

The respondent further stipulates that, in advertisements referring to radio positions which require a knowledge of code, and in all of its enrollment blanks, it will reveal conspicuously the fact that there is an extra charge for the course covering code instructions; and agrees to reveal conspicuously in advertising material which sets forth the terms under which a student may pay for the course, the fact that there is a limitation of two and one half years allowed for completing the course and that if a student has not finished the prescribed program within two and one-half years from the date of his enrollment, he may be charged an additional amount before being allowed to continue with the course. (02936)

Newsstand Publications, Inc.—A stipulation to discontinue certain representations in connection with the sale of magazines and periodicals has been entered into by Newsstand Publications, Inc., Western Fiction Publishing Co., Inc., and Manvis Publications, Inc., 330 West 42nd St., New York, and Martin Goodman and Abraham Goodman, officers of the three corporations. According to the stipulation, the respondents published, in magazines and periodicals, reprints of fiction articles and stories without designating them as such. They agree to cease disseminating any publication containing any reprints of stories or articles previously published unless the fact that such stories and articles are reprints is truthfully and unambiguously disclosed.

The respondents further stipulate that they will discontinue the following practices: Substituting a new title for the original title of a reprinted story unless such substitute title is immediately accompanied in equally conspicuous type by the title under which the story was originally published; changing the names of characters in reprinted stories or otherwise disguising an original story in any manner which causes readers to believe that the reprinted story is an original; using a pseudonym in lieu of the true name of an author so as to imply that a reprinted story bearing such pseudonym is new or original; representing, by use of the word "copyright," any story, magazine, book or publication which has not been copyrighted as being copyrighted; and reprinting any copyrighted story or book from which the notice of original copyright has been removed or omitted, or which is not supplemented with adequate copyright notice indicating the year or years when copyrighted. (3366)

Wadsworth Feed Co., Warren, Ohio, engaged in the sale of animal and poultry feeds, has made a stipulation to cease and desist from representing that its feeds can be depended upon to produce more milk, lower cost milk, or milk with high health standards, or to keep stock in excellent physical condition; that its dairy rations are higher in digestibility and feeding value than any competing product; that its poultry rations can be depended upon to cause faster chick growth, lower poultry mortality, or increased egg production; and that competitive animal and poultry feeds containing oat hulls or other roughage are, by reason of such content, inferior to the respondent's products. The respondent also agrees to discontinue use of the word "guarantees" unless clear and unequivocal disclosure is made of exactly what is offered by way of security. (3367)

Wissahickon Plush Mills, Inc., 3727 Main St., Philadelphia, agrees to discontinue use of the words "Synthetic Rajah Mohair" as a designation for its rayon and cotton upholstery fabric; and use of the word "mohair," either alone or with other words, to designate a textile fabric not made from the hair of the Angora goat, in any manner so as to imply that such textile fabric is mohair.

The respondent also agrees to stop advertising, labeling or selling products composed in whole or in part of rayon without clearly disclosing that fact by use of the word "rayon"; and, when a product is composed in part of rayon and in part of other fibers or materials, to cease failing to disclose each constituent fiber in the order of its predominance by weight beginning with the largest single constituent, in immediate connection with and in type equally as conspicuous as the word "rayon." (3368)

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NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 6, February 6, 1942

FETZER APPOINTED CHAIRMAN OF NATIONAL DEFENSE COMMITTEE

John Fetzer, WKZO, Kalamazoo, Michigan, NAB Director for the Eighth District, has been appointed Chairman of the NAB National Defense Committee to fill the vacancy caused by the resignation of John Shepard, III, who resigned because of the press of other duties, including the Chairmanship of the recently formed Broadcasters' Victory Council. As Chairman of the NAB National Defense Committee, Mr. Fetzer has been designated as the NAB representative on the Broadcasters' Victory Council.

A. J. Fletcher, WRAL, Raleigh, North Carolina, member of the NAB National Defense Committee, in charge of the campaign for establishment of training courses for radio technicians, reports encouraging results from the efforts of broadcasters. A meeting of the NAB National Defense Committee will be held in the near future to review the work to date and to lay plans for future activities.

EXECUTIVE COMMITTEE MEETING

A meeting of the NAB Executive Committee was held at the Roosevelt Hotel on Thursday, January 29th, at which general industry problems were discussed. John Fetzer, WKZO, as Chairman of the NAB National Defense Committee, was designated as the NAB representative on the Broadcasters' Victory Council.

It was the opinion of the Committee that every effort should be made to push the plans for the training courses for radio technicians. The War Time Code was discussed, and the music situation was reviewed. The Committee decided to appoint a committee to draft plans to be submitted to the Board for a permanent War Relief fund and Roger Clipp, of WFIL, has been appointed Chairman of the Committee. Legislation was discussed and the Committee was of the opinion that now was not an appropriate time to urge hearings on the Sanders Bill. Other subjects discussed were the music situation, news broadcasts and the general business outlook for radio.

DISTRICT MEETINGS

A series of district meetings in the even numbered NAB districts has been set. This fulfills the By-Law requirements that meetings be held in even numbered years in even numbered districts for the purpose of electing district directors for the ensuing two-year term. The dates for the District 2 and District 4 meetings have not been set.

In addition to the director's election, in which member stations will participate, agenda are being prepared to include discussion of industry matters of vital interest to not only member but non-member stations. Invitations have been extended to the Office of Facts and Figures, the Office of Censorship, and the Public Relations Branches of the Army, Navy and Marine Corps to send representatives to each of the meetings. It is confidently expected that all of these agencies will be represented along with the NAB headquarters staff. This should assure good attendance at all of the meetings. Following is the schedule of meetings thus far set:

Wednesday, February 18, District 6 (Arkansas, Louisiana, Mississippi, Tennessee), Hotel Roosevelt, New Orleans, Louisiana.

Monday February 23, District 16 (Arizona, New Mexico and southern California) Biltmore Hotel, Los Angeles.

Wednesday, February 25, District 14 (Colorado, Idaho, Utah, Wyoming, Montana, and western South Dakota), Albany Hotel, Denver, Colorado.

Friday, February 27, District 12 (Kansas and Oklahoma), Lassan Hotel, Wichita, Kansas.

Monday, March 2, District 10 (Iowa, Nebraska and Missouri), Paxton Hotel, Omaha, Nebraska.

Wednesday March 4, District 8 (Indiana and southern Michigan), Park Club, Kalamazoo, Michigan.

THANK YOU, SENATOR!

Senator Wheeler said some nice things about radio in the Senate not long ago. We are grateful.

". . . I should hate to see the radio taken over by the government of the United States," he said.

"I think it would be one of the worst things that could possibly happen to the United States if the radio in this country were owned by the government, as it is in Germany and as it is in Russia, and as it is in Italy, or as it is in England, because everybody recognizes that while the radio in England is government-owned, the English have a far poorer service than we have here in the United States.

"I have been a critic of the radio broadcasting companies on numerous occasions; but everything is relative, and, with all due respect to them, when we compare their service with the service that is given in other countries, the service is better over here.

"But if the radio were owned by the government, of course we would have the government saying who could speak over the radio, and the government would absorb the time with nothing but propaganda, as is done in Germany and in Italy and in Russia."

That's the kind of a talk, Senator, that makes us want to do an even better job. We're grateful.

Senator Wheeler made these remarks during debate on the bill (now law) giving the government authority to take over the telephone, telegraph and other communications industries during the war, with the proviso that they must be returned to their owners six months after the war is over.

While the bill was pending, the NAB sought its amendment to provide that broadcasting stations be returned to their owners six months after the war if they are taken over by the government.

This request was rejected by the Senate Interstate Commerce Committe after it heard from Chairman James Lawrence Fly of the FCC. He said, in part, at the committee hearing, in commenting on the NAB proposal:

"As I indicated to you gentlemen during this hearing, I am not entirely happy with the specific wording of the old law or, for that matter, with the present bill. But I think what we are shooting for here is not a complete state of perfection, and I am not sure that we could satisfy everybody with specific wording. What we are trying to do here is get a job done, in substance, and after all we are in a war status today . . .

"I think the only thing I want to say at this time is that I just do not think this is a propitious occasion for reopening of any such existing status."

CODE COMMITTEE MEETS

The NAB Code Compliance Committee is meeting Friday in Washington to consider the entire matter of the handling of news

(Continued on page 68)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

CODE COMMITTEE MEETS

(Continued from page 67)

broadcasts during the war. Invited to attend are Archibald McLeish, Chairman of the Committee on War Information; William B. Lewis, Assistant Director in Charge of Operations, OFF; Douglas Meservey, Deputy Chief, Radio Division, OFF; Ed Kirby, NAB Director of Public Relations on leave of absence and Chief, Radio Branch, Bureau of Public Relations, War Department; John Shepard, III, Chairman, and the members of the Broadcasters' Victory Council; and Fred Weber, representing MBS.

The Code Committee meeting was promptly called as a result of a meeting last Saturday at the Office of Facts and Figures, when Neville Miller and representatives of the four national networks considered the matter of eliminating middle commercials from news programs and the use of news items as a springboard for commercials.

COX URGES HOUSE TO INVESTIGATE COMMUNICATIONS COMMISSION

On Monday Representative Cox (D-Georgia) introduced a resolution (H. Res. 426), "Authorizing an investigation of the organization, personnel and activities of the Federal Communications Commission," which was referred to the Committee on Rules.

Addressing the House on the subject Mr. Cox said:

"Mr. Speaker, last week I made the statement on the floor that I purposed offering a resolution for a House investigation of the Federal Communications Commission. The report of the statement reaching Mr. Fly provoked great laughter. Mr. Fly, you know has a monumental contempt for this body and its Members, but later, upon conferring with one or two members of the Commission, he took a most serious attitude toward the suggestion. Agents of the Commission have been assigned the duty of contacting Members.

"Mr. Fly would tell you there is nothing wrong with the Commission and that he has no fear of an investigation, yet he would leave no stone unturned to prevent it. If you have not heard from members of the Commission or their agents you will be hearing.

"There is nothing personal in this suggestion on my part, I have nobody to punish. If I were disposed to do so I could fill the RECORD with pertinent and authenticated material that would give Mr. Fly something to think about. All I am interested in is guarding the public against the maladministration of a fine law."

We print below the resolution in full:

H. RES. 426

"*Resolved,* That there is hereby created a select committee to be composed of five members of the House to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

"The committee is authorized and directed to conduct a study and investigation of the organization, personnel and activities of the Federal Communications Commission, with a view to determining whether or not such Commission and its organization, in the selection of personnel and in the conduct of its activities, has been, and is acting, in accordance with law and the public interest.

"The committee shall report to the House (or to the Clerk of the House if the House is not in session), at the earliest practicable date during the present Congress, the results of its investigation, together with such recommendations as it deems desirable.

"For the purposes of this resolution, the committee is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers and documents, and to take such testimony as it deems necessary.

"Subpoenas may be issued under the signature of the chairman of the committee or any member designated by him, and may be served by any person designated by such chairman or member."

Radio Essential War Industry

Leon Henderson, Administrator of the Office of Price Administration, in connection with a statement issued with regard to radio price ceilings, made the following observation:

"Radio constitutes an important factor in defense. Besides serving as a source of news and of entertainment vital to morale, it furnishes the principal channel through which civilian defense authorities are enabled to disseminate directions and intelligence necessary to the public safety."

Labor

"REGULAR HOURLY RATE"

There are two different methods of determining an employee's "regular hourly rate" under the Wage and Hour Law. One method is used when an employee works a regular number of hours each week for a regular salary. The other method (less well understood) is used when an employee works an *irregular* number of hours each week for a regular salary.

I

Let us take first, the employee who works a regular number of hours each week for a regular salary. For instance, take the technician who was hired with the understanding that he was to work 40 hours a week for $40. To determine his "regular hourly rate," divide his salary by his regular number of hours. His regular hourly rate is $1, and he is entitled to $1.50 above his regular $40 for each hour above 40 he works each week. If he works 44 hours, he is entitled to $46 for that week.

II

Now let us take the case of an announcer who also is hired at an agreed salary of $40. But there is no understanding as to his hours. He is going to be an announcer at the station and to do the tasks assigned to him, no matter what the hours. It is understood that his hours will be irregular, or are likely to be irregular. His "regular hourly rate" must be re-determined each week, by dividing the salary by the number of hours he worked that week. Then, for each hour he works above 40, he is entitled to *one-half* his "regular hourly rate" for that week. Take, for instance, the week the announcer worked 50 hours. His "regular hourly rate" that week is $40 divided by 50 hours, or 80 cents. For his ten hours overtime, the announcer is entitled to ten times 40 cents (half of 80 cents) or $4. His total pay check is $44.

(Here is the logic behind this: the announcer already has been paid straight time for his 50 hours because he agreed to work an indefinite time for $40. Hence, he is entitled only to half his straight time, extra, for the time he worked above 40 hours.)

The NAB Labor Relations Director will gladly help any member who finds himself in difficulty with any Wage and Hour problem.

COST OF LIVING

The Labor Department reports that living costs in large cities rose 2.2 per cent during the last quarter of 1941, bringing the cost of living December 15 to 110.5 per cent of its average between 1935 and 1939. Detailed figures are available at the NAB.

A STRIKELESS INDUSTRY

With a knock on wood, the NAB is pleased to report that the broadcasting industry and its employees are abiding 100 per cent with President Roosevelt's "no strike or lock-out" labor policy.

Any member threatened with labor trouble should communicate immediately with the NAB Labor Relations Department.

FILE YOUR CONTRACTS

File your labor contracts. The NAB wants to establish a labor information service as good or better than that of the American Newspaper Publishers Association. Ask any newspaper publisher what this service means to him. No individual information is disclosed.

TALENT FEES

The following exchange of correspondence may prove interesting to members:

Mr. Neville Miller,
National Association of Broadcasters,
1626 K Street, N. W.,
Washington, D. C.

Dear Mr. Miller:

It is our practice to act as a collection agency for certain of our employees who receive a fee from the advertiser for talent. In other words, we pay them and bill the advertiser who in turn pays us. If the collection is not made, the advance to the employee is charged against him.

Am I correct in assuming that such payments are not a part of our compensation to these employees and as such not subject to Social Security Taxes or Wage and Hour requirements. Perhaps I should make it plain that these employees all receive wages from us which, of course, are handled through our payroll in the regular way. These talent charges are a matter between them individually and the advertiser, ourselves acting as collection agency.

Will you be kind enough to pass this query to the proper department. I know your bulletins have covered it but I cannot seem to find it.

Cordially yours, —— ——.

Dear Mr. —— ——:

Neville Miller asked me to answer your letter of January 27, about talent.

In the first place, we take the position that the employer-employee relationship under the Wage and Hour Act is, or should be, the same as the relationship under the Social Security Act. We have repeatedly said that we would take the first good case to court in the event that our contention is challenged by the Wage and Hour Division.

The Bureau of Internal Revenue, which determines relationships under the Social Security Act, says that talent is not the employee of the station in the event that the station acts merely as the collection agency of the employee or, vice versa, as the paying agent of the sponsor. The Bureau contends, however, that the method of payment is but one of several factors to be considered in determining the relationship. Most important of these factors is "direction and control." In the case or cases "at bar," who directs and controls the talent? Is it the station or is it the sponsor (or his agent)? Another weighty factor is hiring and firing. Did the station or the sponsor (or his agent) select the talent, or did the sponsor merely agree to pay a talent fee for whatever talent the station selected for his program?

The Bureau of Internal Revenue, unfortunately, refuses to render individual opinions to trade associations. And it repeatedly has said that the facts in each case must be considered in determining that case. The above suggestions are in line with accumulated opinions of the past. To play absolutely safe, you will have to address an inquiry to the Bureau of Internal Revenue, Washington, D. C. You probably will be able to make a proper determination yourself, however, in the light of the above guidance.

Sincerely yours,

Joseph L. Miller,
Director of Labor Relations.

Sales

CHECKING SERVICES

Radio checking services continue to be a threat to the industry as they often undermine the confidence of advertisers in radio's integrity or its ability to render the advertising service purchased.

Leader in the field is the National Radio Checking Service, Inc. with headquarters in St. Louis and an eastern office in New York. A. S. Foster is General Manager and George I. Reid is Eastern Manager.

Information asked for on the report blanks given to checkers is interesting, and tells stations the points on which they are being checked. These blanks provide space for the station, city and date; the time scheduled; whether the account being checked has a show or spot announcement; the product to be advertised; the preceding program and sponsor; other spot announcements and sponsors (*particular attention is paid to double-spotting*); whether the show or spot was on or not on; spots following and sponsors; program following and sponsor; whether or not the "commercial was clear and understandable"; if a show, how many commercials given; if the title of the show was given; "if our show or spot was not on, what was"; and list of errors by announcer or remarks.

The booklet of instructions to checkers is likewise illuminating. Many of the checkers are invalids or shut-ins. All are paid on a piece-work basis. It is reasonable to suppose that all of them understand they are hired to *find errors.* In this instruction booklet appear such phrases as:

"On stations that are pressed with local business, the station announcer may sometimes try to 'anticipate' a (network) cue and try to 'sandwich' in another announcement. . . ." "Sometimes an advertiser buys an hour, and breaks it into two or more shows for various brands. . . . There is supposed to be no announcement between this and the beginning of the next show except station identification. . . . Oftentimes the station will 'sneak' in a local announcement. . . ."

On a promotion piece, sent to clients, the company claims it has 450 checkers throughout the country "to protect your radio investment." It lists 11 of the most common discrepancies "that can occur in any radio station":

1. Show or Spot omitted.
2. Portion of Commercial omitted.
3. Wrong sequence (preceding and following Program).
4. Two or three announcements running, either before or after your Program, or "sandwiched" with your Spot.
5. Competitive Products advertised next to yours.
6. Momentary transmitter failure, causing breaks in Commercial.
7. "Garbled" talk or interruption.
8. Insincere announcing.
9. Transcriptions ineffectively handled.
10. Show starts late or ends early, or both.
11. Local Station "rushing" Net Work cue.

A company representative stated that approximately 40 clients are buying the service; that 29 accounts have been secured in the New York area alone. One important advertiser, using both network and national spot service extensively, was reported considering a *$40,000 order* for checking—presumably to come out of the radio budget.

A promotion piece issued by the company lists these present or past clients: American Chicle; Campbell Corn Flakes, Carnation Milk, Carter's Little Liver Pills, Curtiss Candy, 4-Way Cold Tablets, Father John's Medicine, Flex-O-Glass, Gold Medal Capsules, Grove's Bromo Quinine, Kroger Grocery & Baking Co., Lydia Pinkham, Malto-Meal, M & M Candy, Marlin Firearms, Mayrose Ham, Penetro, Pequot Mills, Pepto-Bismol, Pinex, Ralston Purina, Readers Digest, St. Joseph Aspirin, Savarin Coffee, Sheaffer Pen, Simoniz, Studebaker, Sweetheart Soap, Vicks Vaporub and Vatrinol.

In selling its service, the company uses testimonial letters, some of which are reported to state that in a single campaign, enough errors were caught, and enough make-goods or rebates were secured from stations, to *more than pay* for the cost of the checking service.

The sales approach is generally not made to agencies, but direct to the clients. Some agencies are reluctantly forced to engage a checking service because of instructions from their client.

Radio's only defense, they point out, *is to do its own checking,* 1) by scrupulously rendering every commercial service as ordered, and 2) by reporting *any* errors, no matter what their nature, to the client or agency *first* and arranging a satisfactory adjustment without delay.

If every station in the industry would do this, there would be no need for clients to spend large sums on checking services, the agencies say.

For further details, write the Department of Broadcast Advertising.

"Manual of Radio Advertising" Mailed to Members

The NAB "Manual of Radio Advertising," in preparation for nearly a year, was mailed this week to all member stations. Prepared in loose-leaf form, the Manual now contains five chapters, with additional sections yet to come. It is meant to serve primarily as a handbook for ready reference, and contains a fund of basic industry data for use in sales, promotion and public relations.

Extra copies are available only through NAB members at $3.80 per copy, including chapters yet to be released.

Per-Inquiry and Free Time

Progressive Music Publishers, New York, is seeking per-inquiry deals through its Kansas City Branch on its sheet music.

Movie-Radio Guide, New York, is seeking per-inquiry subscription deals.

Publishers of income tax booklets continue to bombard stations with per-inquiry propositions. Among the more persistent are Beckman & Beerbohm, Detroit, and Gardner-Shea Publishing Co., Oklahoma City.

Henry Flarsheim and Staff, Chicago and Boston, is seeking per-inquiry deals on behalf of its client, **Mason Shoe Mfg. Co.,** which is looking for agents to sell shoes direct to wearers.

All have been invited to use radio on the basis of established card rates.

PEABODY AWARDS

The Advisory Committee for the Henry Foster Peabody Radio Awards for 1941, to be made this spring, decided at recent New York meeting to revise somewhat the basis for the awards.

This year there will be awards for the best dramatic program, the best musical program, the best educational program and the best news reporting. There also will be several special awards for outstanding programs of other kinds called to the committee's attention.

The committee will make a careful survey to see whether there is any daytime program that can receive an award as a distinct contribution to better daytime radio.

The committee also will give special attention to non-network programs, as it definitely appreciates the place of non-network broadcasting in the radio picture.

The awards will be made at a dinner in New York early in April.

Stations wishing to call the attention of the committee to any particular program should forward a script or transcription, with a covering explanatory letter, to the Henry W. Grady School of Journalism, University System of Georgia, Athens, Ga.

"WAR TIME"

When the clocks are moved ahead an hour at 2:00 a. m. Monday, February 9, the nation will operate on "war time". That is the name picked by the President for the new daylight-saving time enacted into law by Congress. The law states that standard time shall be advanced one hour.

Among the various government agencies there had been considerable difference of opinion as to what the new time should be called and the President has clarified the situation for all who have to print program schedules and time tables by designating the new fast time as "war time". The abbreviations will be "E.W.T." for Eastern War Time, "C.W.T." for Central War Time, "M.W.T." for Mountain War Time, and "P.W.T." for Pacific War Time.

BMI SEGREGATES PUBLISHING

On the eve of the issuance of the eight-year BMI licenses, the Board of Directors announced this week that BMI's publishing activities would be segregated within the organization from the licensing activities, with the intention that the publishing business should run as an independent department on a business basis, in the same manner as any other commercial publishing house.

This decision marked the last step by the Board of Directors in the fulfillment of a plan designated to put BMI on a permanent economic basis, which plan has already resulted in economies reducing its license fees from an approximate 3% rate on its first contracts to an average of less than 1% on the new eight-year licenses now being issued. It was pointed out that these economies had been effected in the face of an increased scale of payments to BMI's composers and affiliated publishers, and that the proposed plan would tend to increase, rather than diminish, BMI's support of composers and of its affiliated publishers.

The Board of Directors stated that BMI initially was compelled to turn out a great volume of music for the benefit of its licensees. With ASCAP music back on the air on many stations, and, above all, with BMI's affiliated publishers having proved their ability to produce meritorious music, it was, the Board felt, no longer necessary for BMI to continue publishing so large a volume of music.

ENGINEERING HANDBOOK

Additional material for the Engineering Handbook was mailed to member stations last week. This consisted of charts and graphs on miscellaneous subjects and "Recommended Practice for Field Intensity Surveys for the Purpose of Estimating Field Strength Contours of a Broadcast Station in the Regular Broadcast Band."

Methods of taking measurements and presenting the data have varied to such an extent that it is often difficult to compare the work of one investigator with that of another. It is hoped that the recommended practice for Field Intensity Surveys will bring about uniformity in this field.

Radio Training Courses

For the benefit of the broadcast industry, State Educators and Federal Educators, A. J. Fletcher, WRAL, Raleigh, and Member-in-Charge Radio Training Courses for the NAB National Defense

Committee, said today that he wanted to reiterate the urgent need for persons trained in the fundamentals of radio.

Minimum needs, he said, are in six figures. The situation as to the numbers required was rechecked during a series of calls in Washington Monday, Tuesday and Wednesday of this week.

He expressed the belief, the result of contact with educators, broadcasters, and officials, that the importance of the job and its immensities is just now becoming to be realized.

At state meetings of educators with or without broadcasters present, Messrs. Stringer and Smeby have repeatedly pointed out that qualified instructors would have to be brought into the picture from the liberal arts colleges as well as from the engineering schools and broadcast stations.

TRAIN OTHER INSTRUCTORS

To meet the problem of a shortage of instructors Professor C. W. Beese, Purdue University, reported: "We are setting up a program for training physics teachers and electrical engineers for handling these courses."

In all probability physics instructors and electrical engineers in other states would be willing to follow the Indiana example when they learn the importance of the radio teaching job.

EQUIPMENT SCARCITY NO OBSTACLE

That scarcity of equipment need not deter educators from the teaching job is attested by Rutgers University, New Brunswick, N. J. M. A. Chaffee, associate ESMDT director, already has 925 students taking the radio technician training course and plans to induct a minimum of 1075 students as soon as possible.

Naturally 2,000 students present a laboratory apparatus problem. Professor Chaffee has solved it by assigning light trucks, laden with apparatus, to various routes which cover the 31 off-campus teaching centers in which the radio extension courses are being given.

Below we are publishing brief notes of stations or teaching institutions. These contribute to a feeling of confidence that a good job is being done by all. The list is incomplete.

PITTSBURGH

Herbert L. Spencer, president, Pennsylvania College of Women, and Western Pennsylvania Coordinator, last week met with representatives of Carnegie Institute of Technology, the University of Pittsburgh, Pennsylvania State College and Grove City College, and C. E. Lawall, president, West Virginia University, and ESMDT Regional Adviser, Region 11.

"The University of Pittsburgh is now submitting a proposal to train 420 students within the next 16 weeks," Dr. Spencer reported.

"Carnegie Institute of Technology, will offer the courses at Washington and Jefferson College, in Washington, Pa.

"Grove City College has unusual equipment and will train a fairly large number providing students are available.

"Pennsylvania State College is deeply interested in the program and is planning on a large number of extension courses throughout the state of Pennsylvania. We are preparing a special bulletin on this program and will advertise the course extensively. I want you to know that we are deeply interested in this course and will do all in our power to promote it."

ALABAMA

Howard E. Pill, President, WSFA and state industry representative said: "Dean Hannum and I set a goal at 50 classes in the state and we are making good progress—largely because of Dean Hannum's energy, ability and enthusiasm. . . .

"Many of the members of the engineering staffs of Alabama stations are doing actual teaching and others are cooperating by seeing that the classes have demonstrative equipment. In so far as Alabama is concerned, I believe I can truthfully say that everything is right in the groove."

C. W. Beese, in charge of defense training, Purdue University and Indiana leader: "We have 15 cities in Indiana where broadcasting stations are located. We think that licensed operators there will be able to take care of at least that many training centers. We are also setting up a program for training physics teachers and electrical engineers to handle these courses. Requests for equipment to set up laboratories have already gone in.

"The broadcasting stations in Indiana are giving us excellent cooperation. Some announcements have already gone out and inquiries are pouring in. It looks as if there is a lot of interest in our part of the country in taking these courses. Unless someone tells us to hold up we are going to push them through just as fast as we can."

GEORGIA

Don Ioset, managing director, WAGA, Atlanta, and Industry Representative for the state of Georgia, reports "plenty of action on the part of 28 radio stations in the state. Scores of student applications have arrived at the Georgia School of Technology, where Dr. R. L. Sweigert is State Coordinator. Many stations have sent in lists of engineers who indicate willingness to instruct and be of any service they can lend."

Mr. Ioset has conferred with all four Atlanta stations—WATL, WGST, and WSG—on the matter of teaching assistance and has submitted a list of 32 broadcast engineers living in Atlanta who offer their services for instruction.

TEXAS COLLEGE OF ARTS AND INDUSTRIES

A. W. Straiton, ESMDT Institutional Representative, contemplates radio technician training courses in Corpus Christi, Victoria and Brownsville.

DRAKE UNIVERSITY

Drake University, Des Moines, has already accepted 90 persons for radio technician training courses. The balance of the applicants will be kept on the waiting list until additional facilities may be arranged.

IOWA

F. C. Eighmey, manager, KGLO, Mason City, Iowa, and Industry Representative, has distributed two voice radio technician training course announcements to Iowa stations. They hit the bullseye.

MIAMI

F. W. Borton, president, WQAM, Miami, wrote: "We are happy to advise you that we are cooperating 100% with the Technical High School here in Miami. This school is fully equipped to carry on the training of technicians."

N. Fournier, WAWZ, Zarapath, N. J., said: "We have launched immediately our efforts in behalf of this campaign."

BECKLEY, W. VA.

According to Charles R. Armentrout, assistant manager, WJLS, Beckley, W. Va., Chief Engineer Al J. Ginkel will teach a radio technician training course in Beckley. This is given in connection with the National Department of Education, West Virginia University, Beckley College and radio station WJLS.

KFVD, LOS ANGELES

Frank Burke to A. J. Fletcher: "We have sent 157 inquiries concerning the proposed radio courses to our state coordinator, Prof. R. W. Sorensen, Pasadena. . . . We find the material very helpful that you sent us and have incorporated your suggestions in our announcements."

KNX, LOS ANGELES

Francis Farmer Wilder, director of education, CBS to Dr. P. W. Sorensen, California Institute of Technology, Pasadena: Attached is a list of 40 engineers we think are qualified to take part in the instruction of the radio technician training courses.

We have studios and equipment available for instruction and would be pleased to conduct classes here at KNX. Under separate cover we are sending 198 inquiries that have been received to date and we shall forward others to you as they come in.

NORTH DAKOTA

According to a letter from Dalton LeMasurier, manager, KILO, Grand Forks, N. D., the State Coordinator, Dean L. C. Harrington, North Dakota University, sent Professor O'Brien, the University's instructor of radio engineering, on a tour of the state. He will contact stations and schools throughout the state relative to the establishment of radio technician training courses.

WBRW, WELSH, W. VA.

J. J. Herget, general manager, to A. J. Fletcher: "70 men and women have signed up for the radio training courses which started in our studios at 7:00 p. m., Monday, February 2.

BUFFALO

Charles T. Harrell, in charge of Public Service Programs, WBEN, reports that "the station is working in close cooperation with the University of Buffalo, Canisius College, State Teachers College and Niagara University. As it now stands all of these four schools will be offering courses."

CONNECTICUT

Franklin M. Doolittle, president and general manager, WDRC, Hartford, and Industry Representative for Connecticut, reports that the net accepted applications for radio technician instruction is now 921.

"It appears," he said, "that these can be under instruction simultaneously in the various schools throughout Connecticut. I think, however, that after some of the better students have taken the course it may be possible to use them in future courses and thus increase the number under instruction at one time.

"It is planned to begin courses in Bridgeport, New Haven, New London and Waterbury at an early date. The first instruction in Hartford will begin on February 9."

DALLAS

According to Durward J. Tucker, chief radio engineer, Municipal Radio Department, City of Dallas, six classes will get underway within a few days. Classes are under the direction of Prof. Huffman of Southern Methodist University, Engineering School, Dallas.

KRLD, KSKY, WFAA and WRR are cooperating in recruiting students. One of the classes will be taught by Mr. Tucker.

WICHITA

Two classes are in progress with an attendance of 60, according to word from Herb Hollister, president, KANS. KFBI, KFH and KANS are working together to make a success of the program. State Coordinator Guy V. Keeler has appointed Dick Binford as Wichita Coordinator.

UNIVERSITY OF TEXAS

The University of Texas gave its first radio course in the cities surrounding Austin about the first of June 1941.

"We gave such courses in San Antonio, Houston and Austin last fall," said R. W. Warner, chairman of Department Engineering, Science and Management Defense Training, University of Texas, "and the response was so great that we followed immediately with a similar course in San Antonio and Houston . . . we are taking steps immediately to offer and supervise courses in about *ten cities* within a radius of 200 miles of Austin . . . these courses were patterned exactly like those in the outline you sent around."

NORTHERN CALIFORNIA

Howard Lane, business manager, KFBK, Sacramento, and Industry Representative for Northern California, reports that Stanford University, University of California and Santa Clara University have met to complete teaching plans for Northern California area. It is planned to include in the teaching program all liberal arts colleges wherever facilities are available.

FLY TO GET TRAINING

Miss Harriett N. Alleman, general manager, WOCB, West Yarmouth, Mass., reports that several of the boy students in the radio technician class which the station is giving, on its own behalf, regularly fly over from the islands for instruction.

WJLS BUYS BONDS

Radio Station WJLS, Beckley, W. Va., is 100% National Bond and Stamp conscious. They participate in the payroll deduction plan.

KTSA HELPS

KTSA, San Antonio, Texas, has found a "new" way to extend a helping hand to men in the service. Whenever Western Union and Postal Telegraph have been unable to locate addressees which were to be notified as the next of kin as result of military action, announcements were made over the radio with 100% success to date.

According to Lewis Lacey, promotion manager, "we simply say something to the effect that the telegraph company is holding a message for John Q. Doe and anyone knowing his whereabouts is asked to tell him about the message."

WRVA COOPERATION

Prominently displayed on page 3 of WRVA's monthly house organ, "WRVA Dialog," is a page on defense stamps and bonds. One of the pertinent paragraphs reads:

"Much has been said about the preservation of our liberties and civilization. This bears repetition and cannot be overemphasized. *The American System of Broadcasting* is a product of our democracy and operates under a guarantee of freedom of expression. Its existence must depend upon the maintenance of free enterprise, but all of our freedoms are dependent upon the extent to which every American rallies to the needs of our country. In the recent words of Virginia's retiring Chief Executive, Hon. James H. Price, broadcast over WRVA: 'If we fail in this "all-out" effort, little else matters.'"

WCBS BUYS BONDS

Jack Heintz, manager, WCBS, Springfield, Illinois, reports that the staff of his station is participating in the purchase of defense bonds by payroll deduction 100%.

FEDERAL LEGISLATION

H. Res. 426 (Cox, D-Georgia) COMMUNICATIONS COMMISSION—Authorizing an investigation of the organization, personnel and activities of the Federal Communications Commission. Referred to the Committee on Rules.

STATE LEGISLATION

KENTUCKY:

S. 99 (Williams) ALCOHOLIC BEVERAGES—RADIO ADVERTISED—To prohibit the sale and keeping for sale by holders of retail dealers licenses alcoholic beverages advertised on the radio. Referred to the Committee on Regulation of Alcoholic Liquor.

NEW YORK:

A. 742 (Bannigan) PUBLICATION—RESTRICTIONS—Makes it a misdemeanor to incite hostility against any person or group by reason of race, color, religion or manner of worship, by publication, radio broadcast or other means of communication and makes owner of building liable for use as meeting place. Referred to Committee on Codes.

FEDERAL COMMUNICATIONS COMMISSION

Curb on Broadcast Authorizations

At the request of the DCB, pending the adoption of a specific policy by that Board and the War Productions Board with respect to curtailing standard broadcast construction to meet materials requirements by the military, the FCC will make no further grants for the construction of new standard broadcast stations or authorize changes in existing standard broadcast transmitting facilities where all or a substantial part of the primary area in either category already receives good primary coverage from one or more other stations.

In general the FCC's Standards of Good Engineering Practice will be used as a guide in the determination of good primary service.

National defense requires that there be adequate broadcast facilities but this does not alter the fact that every economy in the use of critical materials for securing and maintaining these facilities must be practiced to the end that there will be the greatest possible saving in materials. This announcement concerns standard broadcast facilities only. It is understood that the DCB is proceeding with studies looking toward the conservation of materials in all other radio services and will submit recommendations at the earliest practicable date.

"WAR TIME" RULES

To conform to the new "War Time" daylight saving law, the Commission en banc Tuesday revised its Rules and Regulations and adopted an order to provide that the times of sunrise and sunset now specified in all existing instruments of authorizations for standard broadcast stations be advanced one hour, effective at the start of the new "War Time" at 2 o'clock a. m., February 9, 1942, as follows:

Adopted new Section 2.36 of General Rules and Regulations; amended Section 3.87, footnote No. 26 to Section 7.81(d), footnote No. 27 to Section 7.82(d), footnote No. 67 to Section 8.221(d), footnote No. 70 to Section 8.222(c)(5), and footnote No. 71 to Section 8.222(d)(6); adopted new Order No. 90.

PROPOSED DENIAL OF WCSC TRANSFER

Public interest would not be served by transfer, as proposed, of The South Carolina Broadcasting Co., Inc., licensee of broadcast station WCSC, Charleston, S. C., from The Liberty Life Insurance Co. to John M. Rivers, according to proposed findings of the FCC. It concludes:

"Under the terms of the contract entered into between the applicants, the proposed transferor retains substantial financial control of the licensee corporation and the proposed transferee assumes no personal financial obligation. There has been no showing that the proposed transferee contemplates the investment of his personal funds toward payment of the purchase price. Nor has it been shown that the Board of Directors of the licensee corporation in the event of approval of this application, will not be associated with the proposed transferor. With control so divided, only a partial transfer would be effected, and neither the transferor nor the transferee would have the control over the licensee requisite for the operation of Station WCSC in the public interest.

"The performance of the contract upon which the instant application is based would impose a constant charge upon the gross revenues and resources of the licensee and thus would tend to impair its ability to operate Station WCSC in the public interest."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 9. They are subject to change.

Monday, February 9

KFNF—KFNF, Incorporated, Shenandoah, Iowa.—Renewal of license, **920 kc.,** 500 watts night, 1 KW day; S-KUSD.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—C. P., **860 kc.,** 5 KW night, 10 KW day; DA-night, unlimited time.

Thursday, February 12

Consolidated Hearing

KRBC—Reporter Broadcasting Co., Abilene, Tex.—C. P., **1470 kc.,** 1 KW, unlimited time.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license, **1470 kc.,** 500 watts night, 1 KW day, unlimited time.

NEW—H. C. Cockburn, trading as San Jacinto Broadcasting Co., Houston, Tex.—C. P., **1470 kc.,** 1 KW, unlimited time; contingent on channel being vacated by KXYZ.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KFQD—R. E. McDonald and Barbara McDonald (husband and wife) (Transferors), William J. Wagner (Transferee), Anchorage, Alaska.—Granted consent to transfer of control (B-TC-291) of Anchorage Radio Club, Inc., station KFQD, from R. E. McDonald and Barbara McDonald (husband and wife) to William J. Wagner, representing 332 shares of stock for $10,000.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted modification of license (B-ML-1108) to operate unlimited time instead of specified hours 6 p. m. to midnight LST, upon representation of applicant that Section 3.45(a) of rules will be complied with as soon as feasible.

KDB—Thomas S. Lee and R. D. Merrill, Executors of the estate of Don Lee, deceased (Transferors), Don Lee Broadcasting System (Transferee), Santa Barbara, Calif.—Granted consent (B5-TC-279) to transfer of control of Santa Barbara Broadcasters, Ltd., Station KDB, from Thomas S. Lee and R. D. Merrill, Executors of the estate of Don Lee, deceased, to Don Lee Broadcasting System.

DESIGNATED FOR HEARING

WKAL, Inc., Kalamazoo, Mich.—Designated for hearing application for construction permit (B2-P-3270) for new station to operate on **1230 kc.,** 250 watts, unlimited time. (Requests facilities vacated by WGRB, Grand Rapids, Mich., as of 9-29-41.) Exact site and antenna system to be determined subject to Commission approval.

MISCELLANEOUS

KPRC—Houston Printing Corp., Houston, Tex.—Granted modification of construction permit for directional antenna for night use and increase in power, for extension of completion date from January 18 to March 8, 1942 (B3-MP-1491).

WOSH—Howard H. Wilson, Oshkosh, Wis.—Granted modification of construction permit for new station, for move of studio to 151½ Main St., Oshkosh, Wis. (B4-MP-1487). Granted license to cover construction permit as modified for new station (B4-L-1598). Granted authority to determine operating power by direct measurement of antenna input (B4-Z-1333).

WPAX—H. Wimpy, Thomasville, Ga.—Granted license to cover construction permit for installation of new transmitter (B3-L-1589).

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Granted license to cover construction permit as modified for increase in day power and changes in directional antenna for day and night use (B1-I-1599); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1334). Granted license for operation of one KW amplifier of Type 5-D-1 (5 KW) main transmitter, for use as second auxiliary transmitter, using 1 KW power and directional antenna, for emergency purposes only (B1-L-1601).

KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Granted license to cover construction permit as modified for new equipment, change in frequency and increase in power (B5-L-1579).

W51R—Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y.—Granted license to cover construction permit for new high frequency broadcast station (B1-LH-8).

KEEW—Eagle Broadcasting Co., Inc., Brownsville, Tex.—Granted authority to determine operating power by direct measurement of antenna input.

KAAD—Tarrant Broadcasting Co., Portable mobile.—Granted renewal of relay broadcast station license for the period ending October 1, 1942.

WENK—WLEU Broadcasting Corp., Portable mobile.—Granted renewal of relay broadcast station license for the period ending December 1, 1943.

WOSH—Howard H. Wilson, Oshkosh, Wis.—Granted extension of special temporary authority to operate with main studio at 151½ Main St., Oshkosh, in lieu of site specified in construction permit, for the period January 29 to not later than February 27, 1942, pending action on formal application for change of studio site.

WINS—Hearst Radio, Inc., New York, N. Y.—Granted extension of special temporary authority to operate by the direct method (antenna current—4.97 amperes for 1 KW; antenna resistance—40.5 ohms) with power of 1 KW, using Western Electric Type 355-B-1 transmitter (formerly licensed to WHN) for a period beginning January 27 and ending not later than February 25, 1942, provided frequency check shows that it is within 5 cycles of assigned frequency. (Antenna: Tapered self-supporting insulated tower; height of vertical lead, 254'; overall height above ground, 261'. Ground system consists of 32 radials number 10 copper wire 170' long bonded at base of tower.)

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Granted modification of construction permit for new station, for approval of antenna and transmitter site and change in type of proposed transmitter (B3-MP-1480).

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Granted license to cover construction permit as modified which authorized changes in equipment, installation of directional antenna for day and night use, increase power, and move transmitter (B5-L-1543); granted authority to determine operating power by direct measurement.

Beauford H. Jester, Waco, Tex.—Granted motion for continuance of hearing on applications of Beauford H. Jester and Roy Branham Albaugh for new stations at Waco, Tex.; hearing now set for February 2; continued to March 6, 1942.

J. C. Lee and E. W. Lee (Lee Brothers Broadcasting Co.), San Bernardino, Calif.—Granted motion to dismiss without prejudice application for consent of assignment of license of Station KFXM from Lee Brothers Broadcasting Co. (assignor) to Tri City Broadcasting Co. (assignee).

Cleveland Broadcasting Co., Cleveland, Ohio.—On Commission's own motion, consolidated hearing on application of Cleveland Broadcasting Co. for new station, with the application of Lake Shore Broadcasting Corp. for new station at Cleveland, Ohio.

Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pa.—Granted petition for an extension of time for filing proposed findings of fact and conclusions on its application (Docket No. 6170) for new station; further ordered that the time for filing proposed findings on applications of Wilkes-Barre Broadcasting Corp. (Docket 6135), Central Broadcasting Co. (Docket 6169), Key Broadcasters, Inc. (Docket 6171), and Northeastern Pennsylvania Broadcasters, Inc. (Docket 6170) be extended until March 9, 1942.

Essex Broadcasters, Inc., Detroit, Mich.—Granted special temporary authority to transmit to radio Station CKLW for broadcast by that station program of the Detroit Lutheran Charities League, originating in the auditorium of the Burns Avenue Baptist Church in Detroit, Mich., from 2:30 to 3 p. m., EST, February 8, 1942, only.

WHKC—United Broadcasting Co., Columbus, Ohio.—Denied request for special temporary authority to operate additional time on January 30 and February 6, 1942.

WSAJ—Grove City College, Grove City, Pa.—Granted special temporary authority to operate additional time from 8 to 10:30 p. m. EST, February 10, 21, 24, and 27, 1942, and March 10, 1942, in order to broadcast home basketball games, only.

WOI—Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa.—Denied request for special temporary authority to operate additional time February 3, 23 and 27, 1942.

WCNW—Arthur Faske, Brooklyn, N. Y.—Granted special temporary authority to operate additional time from 12 midnight EST, January 30 to 1 a. m., EST, January 31, 1942, only, in order to broadcast "Salute to President Roosevelt," provided WWRL remains silent.

WMBI—The Moody Bible Institute of Chicago, Ill.—Granted special temporary authority to operate additional time from 12 midnight February 3 to 6 a. m., CST, February 4, 1942, in order to broadcast program in connection with Founders' Week Conference, only.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate additional time, using 250 watts, from 7:25 to 9:25 p. m., CST, February 7, 9, 14, 21, 23, 1942; from 7:55 to 9:55 p. m., CST, February 16, 1942; from 8:10 to 10:10 p. m., CST, February 28, 1942, in order to broadcast basketball games played by that University.

WAGF—Dothan Broadcasting Co., Dothan, Ala.—Granted special temporary authority to operate additional time from 7:45 to 8:45 p. m., CST, January 29, 1942, only, as requested.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate additional time from 7:30 to 10 p. m., CST, on January 30 and 31, 1942, in order to broadcast the highschool basketball tournament from Somonauk, Ill., only, subject to the express condition that power is reduced to 100 watts.

KTNM—Krasin & Krutzner Broadcasting Co., Tucumcari, N. M.—Granted extension of special temporary authority to operate from 7 a. m. to 7 p. m., MST, instead of unlimited time as specified in existing license, from January 31 to not later than March 1, 1942, only.

W49D—John Lord Booth, Detroit, Mich.—Granted modification of special temporary authority to operate an RCA 10-KW transmitter on **44900 kc.**, using a temporary antenna for the period beginning February 16, 1942, and ending not later than April 16, 1942, pending completion of construction in accordance with construction permit.

W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y.—Granted extension of special temporary authority to operate frequency modulation station commercially on **47100 kc.**, power of 10,000 watts, special emission for frequency modulation, at 444 Madison Ave., New York City, using Western Electric Type 506-A-1, Serial No. 101, 10-KW transmitter, using a single, vertical coaxial antenna having a power gain factor of one; and using Western Electric Type B-151182, at the aforementioned location, as an auxiliary transmitter, for the period February 19 to not later than April 19, 1942, pending completion of construction in accordance with construction permit as modified.

W47NY—Muzak Corporation, New York, N. Y.—Granted extension of special temporary authority to operate commercially on **44700 kc.**, 3 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at 70 Pine St., New York City, and described as General Electric Type GF-103B, maximum rated carrier power output 3 KW, for a period beginning February 4 and ending in no event later than April 4, 1942, pending completion of construction in accordance with construction permit as modified.

W45OM—WBNS, Inc., Columbus, Ohio.—Granted extension of special temporary authority to operate frequency modulation station W45OM commercially on **44500 kc.,** 10 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at Barnet Road, Columbus, Ohio, described as R.E.L. Cat-520DL, maximum rated carrier power output 10 KW, from February 13 to not later than April 13, 1942, pending completion of construction in accordance with construction permit as modified.

WBNX Broadcasting Co., Inc.; News Syndicate Co., Inc.; FM Radio Broadcasting Co., Inc.; Knickerbocker Broadcasting Co., Inc.; Debs Memorial Radio Fund, Inc.; Greater New York Broadcasting Corp.; Wodaam Corporation (all of New York, N. Y.); Mercer Broadcasting Co., Ewing Township, N. J.—On Commission's own motion postponed hearing on FM applications in Dockets 6013, 6175, 6176, 6177, 6178, 6179 and 6181, now set for February 16, to February 17, 1942.

WMIN—WMIN Broadcasting Co., St. Paul, Minn.—Granted motion for continuance of hearing on applications of Station WMIN and Independent Merchants Broadcasting Co. (WLOL), Minneapolis, Minn., for construction permits to operate on **630 kc.,** 1 KW night, 5 KW day, directional antenna night and day, unlimited; hearing now set for February 24, continued to March 23, 1942.

Bernard N. Walker, Concord, N. C.—Granted petition for leave to withdraw without prejudice application for new station.

Tennessee Radio Corp., Nashville, Tenn.—Granted motion for all parties to proceeding to extend time for filing proposed findings of fact and conclusions to February 26, 1942, in re applications of Tennessee Radio Corp., and Nashville Broadcasting Co. for construction permits for new stations.

S. Brad Hunt, Alton, Ill.—Granted motion for leave to file a written appearance in re application for new station.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted petition for continuance of hearing in re application for construction permit to operate on **860 kc.,** 5 KW night, 10 KW day, directional antenna night, unlimited; hearing now set for February 6; continued to February 9, 1942.

W9XAK—Kansas State College of Agriculture & Applied Science, Manhattan, Kans.—Granted modification of construction permit as modified for new television station, for extension of completion date from January 15 to July 15, 1942 (B4-MPVB-72).

KFI—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted extension of special temporary authority to operate the 5-KW auxiliary transmitter between the hours 12 midnight and 6 a. m., PST, daily, from February 2 to not later than March 3, 1942, in order to permit necessary servicing of the 50-KW main transmitter.

W2XMN—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to operate an additional transmitter located at Alpine, N. J., on **43 mc.,** with a power not to exceed 40 KW, using frequency modulation, from February 7 to not later than April 7, 1942, in order to conduct further experiments on adjacent channel operation of high frequency broadcast stations and to demonstrate such operation to certain engineering committees of the Radio Manufacturing Association.

Cuyahoga Valley Broadcasting Co., Cleveland, Ohio.—Granted motion to dismiss without prejudice application for new station.

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted petition for leave to amend application for change in operating assignment, so as to specify a new directive antenna design for use on **930 kc.**

Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to relay broadcast through Television Relay Station W3XP television programs originating at Commercial Television Station WNBT (licensed to NBC) for rebroadcast over Commercial Television Station WPTZ, for a period of 30 days beginning February 1, 1942, upon condition that the programs retransmitted by the station be for experimental purposes only.

W3XTF—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate special experimental television relay transmitter at Wyndmoor, Pa., on **230000-242000 kc.** with power output of 15 watts (peak) in order to conduct experiments relative to reception and retransmission of television programs to Television Station WPTZ from January 31 to not later than March 1, 1942.

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate frequency modulation station W67C commercially on **46700 kc.,** power of 1 KW, special omission for frequency modulation, using temporary antenna, transmitter at 1 No. LaSalle St., from February 6 to not later than March 7, 1942, pending completion of construction in accordance with construction permit.

WSVS—Board of Education, City of Buffalo, Buffalo, N. Y.—Retired to files request for special temporary authority to remain silent for the period February 1 to February 28, 1942, the license for WSVS having been surrendered by the licensee by letter of January 29, 1942, for cancellation.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 a. m. to 10 a. m., EST, Monday through Friday, for the period February 1, 1942, and ending not later than February 28, 1942, provided WSVS remains silent (see item above).

Trent Broadcast Co., Trent, N. J.—Commission, on its own motion, set aside its order of October 7, 1941, dismissing petition by WOAX, Inc., for rehearing of grant of a construction permit to Trent Broadcast Co. to erect a new station to operate unlimited time on **920 kc.** with 1 KW power, using a directional antenna; and further ordered that petitioner be given 20 days within which to file additional material or affidavits, and applicant 10 days thereafter to file answer. The Commission will then be able to dispose of the matters raised by the petition for rehearing on its merits.

Birney Imes & Robin Weaver, d/b as Imes-Weaver Broadcasting Co., Murfreesboro, Tenn.—Placed in pending file pursuant to Order No. 79 application for construction permit (B3-P-3215; Docket 6194) for new station to operate on **1340 kc.,** 250 watts, unlimited time; exact site and antenna system to be determined subject to Commission's approval.

W2XWV—Allen B. DuMont Laboratories, Inc., New York, N. Y.—Granted special temporary authority to rebroadcast WNBT television programs for experimental purposes for a period beginning February 2 and ending not later than February 9, 1942.

WEKP—Scranton Broadcasters, Inc., Scranton, Pa.—Granted special temporary authority to operate Relay Broadcast Station WEKP on **39.82 mc.** in order to make measurements for antenna proposed in application for construction permit to increase the power of Station WGBI (File No. B2-P-3405) for a period not to exceed 15 days.

KWFR—Wichita Broadcasting Co., area of Wichita Falls, Tex.—Cancelled relay broadcast station construction permit authorization of KWFR, in accordance with written request of the permittee dated January 27, 1942.

General Electric Co., Schenectady, N. Y.—Granted special temporary authority to operate Television Relay Station (formerly licensed as W2XI) on Channel No. 8, **162000-168000 kc.,** with power of 50 watts (peak), A5 emission for relaying visual program material for experimental purposes only, for a period to expire February 28, 1942.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted extension of special temporary authority to operate Composite 1-KW transmitter using 660-foot tower with non-directional antenna, at Madera and North Avenues, Kerman, Calif., in lieu of site specified in existing license, from February 3 to not later than February 12, 1942. Also granted special temporary authority to operate with power of 5 KW, using non-directional antenna, at Madera and North Avenues, Kerman, Calif., in lieu of site specified in existing license, for a period not to exceed 30 days.

APPLICATIONS FILED AT FCC

560 Kilocycles

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Modification of construction permit (B4-P-2827) for change in hours, installation of directional antenna for night use, requesting move of transmitter, changes in directional antenna and extension of commencement and completion dates from 2-21-42 and 8-20-42 to 60 days after grant and 180 days thereafter, respectively.

610 Kilocycles

WSGN—The Birmingham News Co., Birmingham, Ala.—Construction permit to increase power from 1 KW to 1 KW night, 5 KW day, using directional antenna night and install new transmitter.

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit to increase power from 5 KW to 5 KW night, 10 KW day and make changes in directional antenna and changes in transmitter.

620 Kilocycles

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to install new transmitter, directional antenna for day and night use, change frequency from **1240** to **620 kc.**, increase power from 250 watts to 1 KW night, 5 KW day, move transmitter. Amended: to request **850 kc.**, changes in directional antenna for night use only, and correct data re transmitter site.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to install new transmitter, changes in directional antenna, change power from 500 watts night, 1 KW day to 5 KW, using directional antenna night. Amended: to change name from Stuart Broadcasting Corp. in accordance with assignment granted.

KGW—Oregonian Publishing Co., Portland, Ore.—Construction permit to install new transmitter and increase power from 5 KW to 5 KW night, 10 KW day, using directional antenna night.

660 Kilocycles

NEW—Northern Ohio Broadcasting Co., Elyria, Ohio.—Construction permit for a new broadcast station to be operated on **660 kc.**, 1 KW, daytime. Amended: re engineering data.

730 Kilocycles

NEW—Charles F. Eden, Providence, R. I.—Construction permit for a new broadcast station to be operated on **730 kc.**, 1 KW, daytime.

830 Kilocycles

NEW—J. C. Horton, Santa Ana, Calif.—Construction permit for a new broadcast station to be operated on **830 kc.**, 10 KW, limited time-WCCO.

990 Kilocycles

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Modification of construction permit (B2-P-3207) for new transmitter, directional antenna for day and night use, increase in power, changes in hours, move transmitter, requesting changes in directional antenna and approval of * studio at Philadelphia, Pa., and approval of transmitter at Township of Whitemarsh, Pa.

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* Move from Glenside, Pa.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Dela.—Modification of construction permit (B1-P-2758) for increase in power, new transmitter and directional antenna for day and night use, requesting change in type of transmitter.

1240 Kilocycles

WGCM—WGCM, Inc., Gulfport, Miss.—Transfer of control of corporation from P. K. Ewing to Hugh O. Jones and Wm. E. Jones, equally, 280 shares common stock.

1340 Kilocycles

WLBC—Donald A. Burton, Muncie, Ind.—License to cover construction permit (B4-P-3317) for move of transmitter, installation of new antenna system. Amended: re type of transmitter.

WLBC—Donald A. Burton, Muncie, Ind.—Authority to determine operating power by direct method. Amended: re antenna and ground system.

NEW—John R. Crowder, tr. as Dimple Broadcasting Co., Columbia, Tenn.—Construction permit for a new broadcast station to be operated on **1240 kc.**, 250 watts, unlimited time (facilities WSIX requested when vacated). Amended: to request **1340 kc.** (amendment incomplete).

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, d/b as Red Lands Broadcasting Assn., Lufkin, Texas.—Modification of license to change hours from daytime to unlimited time, using power of 250 watts. Amended: re engineering data and form 329 resubmitted.

1400 Kilocycles

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio.—License to cover construction permit (B2-P-2685) as modified for changes in equipment, changes in antenna, increase power and move transmitter.

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio.—Authority to determine operating power by direct method.

NEW—KTOP, Inc., Topeka, Kans.—Construction permit for a new broadcast station to be operated on **1400 kc.**, 250 watts, unlimited hours (contingent on KTSW's change to **1490 kc.**).

1410 Kilocycles

WKBH—WKBH, Inc., LaCrosse, Wisc.—Modification of construction permit (B4-P-2733) as modified for new transmitter, directional antenna for night use, increase in power and move of transmitter, requesting extension of completion date from 3-26-42 to 9-26-42.

1430 Kilocycles

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Construction permit to change frequency from **1430** to **1190 kc.**, increase power from 5 to 50 KW, install new transmitter, make changes in directional antenna for night use and move transmitter. (Facilities WOWO requested.) Amended: re substitution of photos of proposed site.

1440 Kilocycles

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Construction permit to move transmitter, install new transmitter, install directional antenna for day and night use, change frequency from **1450** to **1440 kc.** and increase power from 250 watts to 1 KW.

1450 Kilocycles

NEW—Chattahoochee Broadcasting Co., Columbus, Ga.—Construction permit for a new broadcast station to be operated on **1450 kc.**, 250 watts, unlimited time. Amended: re corporate structure.

KIDW—The Lamar Broadcasting Co., Lamar, Colo.—Voluntary assignment of license to C. R. Anderson.

WHIT—Coastal Broadcasting Co., New Bern, N. C.—Modification of construction permit (B3-P-3239) for a new station, requesting change in type of transmitter and approval of studio and transmitter sites. Amended: to specify new transmitter and studio sites as West of New Bern and antenna changes.

1460 Kilocycles

WGOV—E. D. Rivers, Valdosta, Ga.—Construction permit to install new transmitter, increase power from 250 watts to 500 watts night, 1 KW day, change frequency from **1450** to **1460 kc.** Amended: to request **950 kc.**, increase power from 500 watts night, 1 KW day to 1 KW and install directional antenna for night use.

1470 Kilocycles

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Modification of construction permit (B2-P-2637) as modified, for increase in power, installation new transmitter, and directional antenna for day and night use, change in hours, requesting change in type of transmitter and changes in proposed directional antenna.

1490 Kilocycles

NEW—B. Loring Schmidt, Salem, Ore.—Construction permit for a new broadcast station to be operated on **1490 kc.**, 250 watts, unlimited hours.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Construction permit to make changes in equipment and increase power from 100 to 250 watts. Amended: re Section 4a.

KYOS—Merced Broadcasting Co., Merced, Calif.—License to cover construction permit (B5-P-2545) for change in frequency and increase in hours of operation.

KYOS—Merced Broadcasting Co., Merced, Calif.—Authority to determine operating power by direct method.

KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Construction permit to change frequency from **1400** to **1490 kc.** and changes in equipment.

1510 Kilocycles

KGA—Louis Wasmer, Spokane, Wash.—Modification of construction permit (B5-P-2602) for new transmitter, installation of directional antenna for night use, increase in power, move studio and transmitter, requesting extension of completion date from 2-24-42 to 6-15-42.

1550 Kilocycles

WALB—The Herald Publishing Co., Albany, Ga.—Construction permit to change frequency from **1590** to **1550 kc.**, changes in directional antenna for night use, installation of new transmitter, increase power from 1 to 10 KW. Amended: to request changes in directional antenna for night use and omit request for increase in power and installation of new transmitter.

1590 Kilocycles

KGEZ—Donald C. Treloar, Kalispell, Mont.—Modification of construction permit (B5-P-2573) as modified for change in frequency, increase in power and installation of directional antenna for night use, requesting change in frequency from **1460** to **1590 kc.** and change in type of antenna from directional to vertical.

WAKR—Summit Radio Corp., Akron, Ohio.—Modification of construction permit (B2-P-3038) for increase in power, changes in directional antenna for night use and installation of new transmitter, requesting extension of completion date from 3-1-42 to 9-1-42.

1600 Kilocycles

NEW—Peter Q. Nyce, Alexandria, Va.—Construction permit for a new broadcast station to be operated on **1600 kc.**, 5 KW, unlimited hours, directional antenna day and night use and located Washington, D. C. Amended: to request **740 kc.**, 1 KW, daytime only and transmitter and studio to be Alexandria, Va., change type of transmitter and request vertical radiator.

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit (B1-P-3151) for new transmitter, increase in power, change in frequency and hours of operation, requesting changes in antenna system.

FM APPLICATIONS

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new high frequency broadcast station to be operated on **47,300 kc.**; population, 759,389; coverage, 6,665 square miles. Amended: to request coverage 8,185 square miles, population 870,054, changes in antenna and specify rated power as 10 KW instead of 5 KW.

W59NY—Interstate Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-PH-109) for a new high frequency broadcast station, requesting extension of completion date from 2-17-42 to 8-17-42.

TELEVISION APPLICATIONS

NEW—Philco Radio and Television Corp., Portable-Mobile.—Construction permit for a new television relay broadcast station to be operated on Channel Nos. 13 and 14, **230000-242000 kc.**, 15 watts, Emission A5, to be used with Station WPTZ.

NEW—Philco Radio and Television Corp., Portable-Mobile.—Construction permit for a new television relay broadcast station to be operated on Channel Nos. 13 and 14, **230000-242000 kc.**, 15 watts, Emission A5, to be used with Station WPTZ.

NEW—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 6, **96000-102000 kc.**, ESR: 1246 (Formerly W2XBB); Aural: Max. 2 KW; Visual: Max. 4 KW.

MISCELLANEOUS APPLICATIONS

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PIB-27) as modified for increase in power, new transmitter, move transmitter and change in frequencies, requesting extension of completion date from 1-25-42 to 2-25-42.

WAOB—National Broadcasting Co., Inc., Port Washington, N. Y.—License to cover construction permit (B1-PRY-246) for changes in equipment and move of transmitter.

NEW—L. B. Wilson, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.**, 50 watts, Emission: special for frequency modulation with a band width of not over **30 kc.**

NEW—Charleston Broadcasting Co., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 250 watts, Emission A3.

FEDERAL TRADE COMMISSION DOCKET

COMPLAINTS

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

American Plate Glass Company—H. W. Lederer and two corporations of which he is president, The Bible Institute and American Plate Glass Co., both located at 224 West 34th St., New York, are charged in a complaint with using deceptive acts and practices to promote the sale of bibles and other religious publications and hand-bag mirrors. (4687)

Kola Astier Corp.—A complaint has been issued charging Kola Astier Corporation and Gallia Laboratories, Inc., 254-256 West 31st St., New York, with misrepresentation in the sale of "Kola Astier," a medicinal preparation. (4682)

Baer Laboratories, Inc.—A complaint has been issued charging Baer Laboratories, Inc., 30 East 20th St., New York, with misrepresentation in connection with the sale of a medicinal product designated "Sulfuraid-21." (4686)

B. & L. Hat Co., Ben D. Fogel and Louis Singer, 612 West Lake St., Chicago, are charged, in a complaint, with misrepresentation in the sale of hats.

The complaint alleges that the respondents manufacture women's hats from felt and other materials obtained from old, worn and previously used hats and sell such products to retailers, jobbers or wholesalers in various States without any label, marking or designation stamped on or attached to the hats, to indicate to such dealers or the public that the hats are made from old materials. (4679)

E. I. du Pont de Nemours & Co., Inc., Wilmington, Dela., is charged in a complaint, with misrepresentation and disparagement of a competitor's product in connection with the sale of synthetic degreasing and dry cleaning solvents consisting of trichlorethylene and perchlorethylene. The du Pont Company's solvents are "Cecolene No. 1" and "Cecolene No. 2," for use in degreasing machines, and "Tri-Clene" and "Per-Clene," for use in dry cleaning machines. (4685)

Griffith Laboratories—Charging misrepresentation in the sale of a meat-curing preparation, a complaint has been issued against The Griffith Laboratories, Chicago, manufacturer of "Prague Powder," advertised as a "dry cure" to be used in rubbing on meat and as a "pickle," when in liquid form, for pumping into meat. (4684)

Hickok Manufacturing Co., Rochester, N. Y., and Pioneer Suspender Co, Philadelphia, are charged, in complaints, with misrepresentation in the sale of products made of "Vinylite," a plasticized material having a glass-like appearance. (4680-4681)

John C. Johnson Company—Disparagement of aluminum cooking utensils sold by competitors is alleged in a complaint issued against John C. Johnson Co., 1120 First National Bank Building, Birmingham, Ala., engaged in the sale of ironware cooking utensils. (4690)

Pakula and Co., trading as L. W. Ring Co., 5 North Wabash Ave., Chicago, engaged in selling jewelry and novelties to dealers and other purchasers, is charged, in a complaint with misrepresentation. (4676)

Physicians Electric Service Corporation—A complaint has been issued against Physicians Electric Service Corporation, Los Angeles, manufacturer of the device, and Soloman E. Mendelsohn, president of the corporation; and the May Department Stores Co., a New York corporation with a California office and store in Los Angeles, distributor of the device.

The complaint alleges that through newspaper and other advertisements approved or prepared in collaboration by the respondent manufacturer and distributor, the respondents represent that their device, when used by the unskilled lay public in treating self-diagnosed ailments by self-application in the home, is a scientific, safe, harmless and effective means for relieving or curing rheumatism, arthritis, neuritis, bursitis, lumbago, sciatica, neuralgia, sinus trouble, colds, women's disorders and other ailments, and for alleviating pain resulting from them. (4683)

Richter and Phillips Co., Cincinnati, is charged in a complaint, with misrepresentation in the sale at retail of jewelry, silverware, luggage, giftware and other jewelers' merchandise to consumers who buy for their own use and not for resale or retailing. (4688)

E. H. Roberts Portrait Co., 1000 Holmes St., Kansas City, Mo., its officers and more than 200 of its representatives and sales agents are charged in a complaint with entering into understandings and agreements to sell tinted or colored enlargements and miniatures of photographs, and frames, through the use of misleading and deceptive acts and practices, in violation of the Federal Trade Commission Act. (4692)

John F. Trommer, Inc.—Misrepresentation in the sale of "Trommer's White Label" beer is alleged in a complaint issued against John F. Trommer, Inc., operating a brewery in Orange, N. J., and maintaining its principal office at Bushwick Ave. and Conway St., Brooklyn. (4689)

Wineholt Company—Charging misrepresentation in the sale of watches and pistols, a complaint has been issued against Mervin Wineholt, trading as Wineholt Co., and as Mervin Wineholt Co., Woodbine, Pa. (4691)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Arthur-Leslie Sauce Co., 122 Charles St., New York, has entered a stipulation to cease certain representations in the sale of a food product designated "Worcestershire Sauce." The respondent agrees to cease representing, or providing wholesalers, private brand distributors or others with the means to represent, through the use of wrappers, containers or labels which simulate the distinctive wrappers, containers or labels used by Lea & Perrins, Inc., in marketing Worcestershire sauce, or in any other manner, that the respondent's product is Worcestershire sauce manufactured and distributed by Lea & Perrins, Inc., which has for many years distributed its brand of sauce under distinctive labels and wrappers. (3373)

Cal-Par Corporation, 685 Broadway, New York, has entered into a stipulation to discontinue representing that its laxative preparation designated "Bolk" acts as an intestinal tonic, relieves constipation in a natural manner, or is safe to use in cases of colitis or constipation; that the preparation will always be of benefit where symptoms of headache, nausea, dimmed eyesight, or weakness are present; and that it will prevent toxins from breaking down the intestinal walls and entering the blood stream or will prevent degenerative changes in nerves, glands or organs, or is a safeguard against obesity. (02943)

Chemical Products Co. and Chemical Products Laboratory, Ellsworth, Minn., entered into a stipulation to cease representing that a preparation designated "Sixty Minute Worm Expeller" and "Sixty Minute Worm Remedy" expels all worms from dogs, cats or foxes; is effective or dependable under all conditions; and, when administered to dogs, reduces the danger of fits, distemper, paralysis, eczema or other diseases. The respondent further stipulates it will cease representing, by use of the designation "Sixty Minute" in the brand name of the product, that it expels worms in 60 minutes, and discontinue representing that the preparation is safe or harmless unless explanation is made that the product may not be safe to administer to weak or sick animals. (02940)

Conti Products Corp., 45 Clinton Ave., Brooklyn, has entered into a stipulation to discontinue representing that a cosmetic designated "Conti Complexion Cream" is effective in preventing or correcting skin dryness, in helping maintain the proper moisture balance of the skin, or in conditioning the facial muscles, or that it will have a beneficial effect upon so-called "worry lines." The respondent also agrees to cease representing, through use of the word "tissue" in describing the preparation, that it builds up, nourishes or otherwise beneficially affects the tissues of the skin. (02941)

C. P. Leister Hatchery, McAlisterville, Pa., stipulated to cease representing that his poultry breeding stock is blood-tested for Pullorum disease each year and all reactors removed or that such stock is otherwise tested or culled, unless all his poultry breeding stock and the flocks from which he receives eggs for hatching purposes are actually tested or culled as represented. (3378)

Lindfelt Manufacturing Co., 307 Court Ave., Des Moines, Iowa, engaged in the sale of gloves and mitts, entered into a stipulation to discontinue selling or distributing any imported product without clearly and distinctly marking the exposed surface of the package or wrapping so as to disclose the country of origin. According to the stipulation, the respondent company, which also trades as Lindfelt Glove Mfg. Co. and as Champion Manufacturing Co., sold gloves imported from Japan without making any disclosure of the country of origin other than by a sticker bearing the words "Made in Japan" which was attached to the inner seam in the gloves. (3377)

Antone Matysek, 2219 East Biddle St., Baltimore, entered into a stipulation to cease and desist from certain representations in connection with the sale of a booklet entitled "Physique Control Course," courses of instructions designated "Health-O-Flex System Courses," and an exercising device called "Health-O-Flexer." (02942)

Stylewise Hosiery Sales, Inc., 330 Fifth Ave., New York, distributor of women's hosiery, entered into a stipulation to cease and desist from use of the word "Manufacturers" as descriptive of its business, and from use of other words of similar implication, the effect of which may tend to convey the belief that it makes women's hosiery or that it actually owns and operates or directly and absolutely controls a plant or factory in which such products are manufactured. According to the stipulation, the respondent described itself in letterheads and other trade literature as a "Manufacturer" with mills in Philadelphia and Oxford, Md., when in fact it does not make hosiery but buys its merchandise from other concerns. (3376)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

Blum Lace & Embroidery Co., 6103 Buchanan Place, West New York, N. J., engaged in the sale of chenille fabrics, stipulated that they will cease and desist from advertising, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing, by use of the word "rayon," that such products are composed of or contain rayon; and, when a product is composed in part of rayon and in part of other fibers or materials, will not fail to disclose each constituent fiber, in the order of its predominance by weight beginning with the largest single constituent, in immediate connection with and in type equally conspicuous as the word "rayon." The respondents also agree to cease using the word "Persian" or any other words connoting fur as descriptive of fabrics made or composed of fibers other than fur, and to discontinue advertising, labeling or selling fabrics composed of fibers other than fur under any representations or conditions of deceptive concealment whereby purchasers may be misled into buying such fabrics in the belief that they are composed of fur. (3374)

Goody's Inc., Winston-Salem, N. C., manufacturer of "Goody's Headache Powders," stipulated to cease disseminating advertisements which fail to reveal conspicuously that its headache powders should not be used in excess of the dosage recommended; that frequent or long-continued use may be dangerous, causing dependence on a drug, or causing skin eruptions or mental derangement; that use of the preparation may cause collapse; and that the powders should not be taken by nor administered to children; provided, however, that the advertisement need contain only the statement: "Caution: Use only as directed," if and when the directions appearing on the label or in the labeling contain a warning to the same effect. The respondent further agrees to desist from advertising that use of the preparation will remove the cause of symptoms indicated by headache, neuralgia, muscular aches and pains, or has value other than as a temporary alleviating agent. (3375)

Old Colony Knitting Mills, Inc., manufacturer of sweaters, Hingham, Mass., and Maine Spinning Co., producer of yarns, Skowhegan, Maine, have been ordered to cease and desist from misusing the word "Shetland" to describe certain of their products. (4236)

Sure Laboratories, 841 North Wabash Ave., Chicago, has been ordered to discontinue misrepresentations in connection with the sale of a preparation designated "Sure," advertised as a breath purifier.

The Commission finds that the respondent falsely represented in advertising that "Sure" is not a perfume but is a preparation which will neutralize all odors and remove every trace of offensive breath, and that agents selling the product can realize average net earnings of as high as $300 a week. (3948)

Victor Hat Co., 153 North Wabash Ave., Chicago, has been ordered to cease and desist from misrepresentations in the sale and distribution of women's hats. (4629)

FTC CLOSES CASE

The Federal Trade Commission closed its case resulting from a complaint issued against Albert Walters, trading as Wayne-Townesend & Co., 1001 Chestnut St., Philadelphia, charging him with violation of the Federal Trade Commission Act in the sale of men's wearing apparel. Closing of the case was ordered without prejudice to the Commission's right to resume proceedings, should future facts so warrant.

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Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 7, February 13, 1942

February 13, 1942.

To all Broadcasting Stations

All station managers have received from Carl Haverlin a copy of the new BMI License. The details of this license were discussed at the District meetings last Fall, and a resolution was passed at every District meeting unanimously approving the contract and expressing the determination to give BMI the continued support it so well deserves.

Now is the time for action. Won't you show your appreciation for the grand job BMI has already done and your confidence in its future by sending in your signed contract to BMI now?

With kindest regards, I am,

Very truly yours,

Neville Miller.

CONSTRUCTION PRIORITIES

The DCB has recommended to the War Production Board and the FCC that, effective immediately, all new construction for standard broadcast facilities be limited in accordance with the following:

"1. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for the construction of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations.[1]

"2. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for construction in order to change the transmitting facilities of any existing standard broadcast station unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations.[1]

"3. No critical materials shall be allocated by the War Production Board for the construction, under outstanding authorizations of the Federal Communications Commission:

(a) Of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations; or

(b) In order to change the transmitting facilities of any existing standard broadcast station unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations." [1]

It is understood that this matter has already received consideration by the Federal Communications Commission, as evinced in that Commission's public statement of January 30, and by representatives of the War Production Board in conferences with the Priorities Liaison Committee of the Defense Communications Board.

CHILDREN'S RADIO PROGRAM CONFERENCE

A conference was held Monday, February 9 in the Interior Department Broadcasting Studios in Washington, D. C. to discuss the establishment of a permanent research agency for the improvement of children's radio programs. The conference was called by Dr. John W. Studebaker, Commissioner of Education and Chairman of the Federal Radio Education Committee. The original proposal of this project was submitted by the Evaluation of School Broadcasts staff at Ohio State University, the FREC project supported by the Rockefeller Foundation funds.

Dr. Studebaker extended invitations to all of those interested in children's radio programs, and called upon the following people to review the proposal in advance of the meeting and give ten-minute talks on views of the practicability of the project:

Dr. James Rowland Angell—National Broadcasting Company
Mrs. Dorothy Lewis—Radio Council on Children's Programs
Mr. Davidson Taylor—Columbia Broadcasting System
Mrs. Sidonia Gruenberg—Child Study Association
Mr. Belmont Farley—National Education Association
Miss Josette Frank—For Robert J. Maxwell, of Superman, Inc.
Mr. Paul Peter—National Association of Broadcasters

The conference was opened with a speech by Dr. Studebaker, reviewing the history of the proposal and a statement to the effect that the FREC was interested in having the proposal receive a fair consideration but was not advocating the adoption of the proposal as a project of FREC. This undertaking would be separately operated and supported.

Following Dr. Studebaker's address, Norman Woelfel and I. Keith Tyler of the Ohio State University Evaluation of School Broadcasts project, made presentations, "Criteria for Children's Radio Programs" and "Proposal for a Research and Service Agency" respectively. The ten-minute comments of the persons mentioned above followed on the agenda. Considerable diversity of opinion was expressed by those people as to the value and need for such an agency.

After considerable discussion Mr. Charters of Ohio State University moved that Dr. Studebaker, as Chairman of the conference, appoint a small committee representative of those groups interested in children's radio programs, to determine the practicability of the recommendation, and if that committee found the plan to be workable, that it recommend specific procedure for putting the plan into operation.

"THIS IS WAR" SERIES

In amplification of the announcement in War Service Bulletin No. 8, non-network stations may broadcast the series off the air, without lines to the nearest network outlet, but *rebroadcasts* off the air or by transcription are forbidden.

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[1] In general, the Federal Communications Commission's Standards of Good Engineering Practice will be used as a guide in the determination of primary service.

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

NEVILLE MILLER ADDRESSES CANADIAN ASSOCIATION

Neville Miller, John Gillin of WOW, Omaha, NAB Director for the Tenth District, and Lynne Smeby, NAB Director of Engineering, represented the NAB at the Annual Meeting of the Canadian Association of Broadcasters on February 9-11 at Montreal.

Mr. Miller was guest speaker at the luncheon on Monday, Mr. Smeby was guest speaker at the Tuesday breakfast Round Table on priorities and engineering problems under War conditions, and Mr. Gillin spoke at the afternoon meeting Monday which considered standardization of rate structure.

The other subjects under discussion were price control and the effect of the War on broadcasting in Canada.

William L. Shirer, CBS, was guest speaker at the Annual Banquet on Tuesday night.

Highlights of Mr. Miller's talk follow:

1. Radio will remain as a privately-owned, competitively-operated business, and will *not* be taken over by the Government. Although, under our law, the Government *could* take over radio at any time, all responsible Government Officials have not only declared themselves against Government ownership, but are showing an increasing appreciation of the splendid service being rendered by the broadcasters.

2. Radio has ceased to be thought of as merely entertainment or a luxury, and is now recognized as a national defense activity. In speaking of radio, Price Administrator Leon Henderson recently used these words:

> "Radio constitutes an important factor in defense. Besides serving as a source of news and of entertainment vital to morale, it furnishes the principal channel through which civilian defense authorities are enabled to disseminate directions and intelligence necessary to the public safety."

3. The Government has recognized that experience in radio is needed for the successful handling of the Government's radio activities, and has recruited from the broadcasting industry the personnel needed to fill the key radio positions in the Government.

4. There is a continued evidence of a policy on the part of the Government to rely on the industry for self-regulation, rather than the enactment of legislation. This was particularly evident recently in the actions of the Censor and the OFF.

This all means that since the War started, radio's foundations have been strengthened, not weakened, and with continued cooperation and public service, those foundations will be so strengthened that radio will be able to stand firm, even in the uncertain days which lie ahead.

In closing, may I say you have no monopoly on problems; we have our share. We are all in an industry which usually has at least one crisis by ten o'clock every morning. We do not know what the effect of this War will be on advertising—how low our revenues may sink, or how high our operating costs may go. But we *do know* we are in this War to win—and win we must—because, should we lose radio, as you and I know it, with all its power, with all its glory, we would perish!

You and I did not will this War. Had we our wish, we would still be at peace; but since it is here, we must give our all to end it as soon as possible.

But some day the guns will be still, the last unknown soldier will have made the supreme sacrifice, and the nations of the world will gather around the peace table. On that table will be laid the list of those nations, and those leaders, who tried to destroy civilization, and radio—as used by them—will be listed as one of their weapons.

Also on that table will be laid the names of those nations and their leaders who fought to save civilization—and radio will be on that list! And it is your job, and my job, to see that it is written in letters of gold!

NAZI "PARTY LINE"

What is the current Nazi "party line" in its short wave propaganda?

It was exposed in some detail this week by Archibald MacLeish, Director of OFF, after a thorough study by his and other agencies.

Mr. MacLeish's statement may be of special interest to news editors, for their guidance in seeing that none of the Nazi propaganda inadvertently gets into news or other broadcasts.

Warning that the "Borgia Bund" of enemy radio propagandists is using an ancient technique to spread a brand new concoction of lies in an attempt to poison the minds of the United Peoples against one another was sounded today by Archibald MacLeish, Director of the Office of Facts and Figures.

"The technique," said Mr. MacLeish, "is as old as Satan. It is the shabby but subtle system of playing both ends against the middle. The Axis propaganda poisoners are constantly on the air whispering defamatory stories about the British or the Australians or the South Americans into listening ears in the United States, then they nimbly switch to a beam aimed at Britain or another of the United Nations to pour out lies about us."

"As an official charged by the President with the duty of seeing to it that American citizens get the facts about the war," Mr. MacLeish continued, "I have been appealed to by officers of the Government's war agencies to call attention to this campaign of attempted mind-poisoning. The poison, in the form of exaggerations, distortions and outrageous lies, is being spread from Berlin, Tokyo and Rome via short wave radio. The campaign is as shrewd, as ruthless, as any poison plot of the Borgias.

"In 'Mein Kampf', Hitler advocated the lie as a powerful strategic weapon, and counseled in favor of the biggest and boldest lie on the theory that 'the great masses of the people . . . are more easily victimized by a large than a small lie.' Hitler has been proved right so far as the German people are concerned. They have been fed, and evidently have swallowed, a well-balanced diet of some of history's most outstanding falsehoods.

"But once again, as in 1917, the strategists of the aggressor nations underestimate the intelligence and temper of the American people. I think that Americans are smart enough to detect enemy falsehoods, and resolute enough to resent the impudence that dares to try to foist such falsehoods on the citizens of this country."

Mr. MacLeish pointed out that his statements were not based on conjecture, but on a factual study of enemy short wave propaganda which has been conducted by the Intelligence Bureau of the Office of Facts and Figures during the past several weeks in cooperation with the Foreign Broadcast Monitoring Service of FCC, and the Office of the Coordinator of Information. The study has covered propaganda broadcasts from the enemy countries, and has been especially directed at a comparison of lines of propaganda channeled toward the different members of the United Nations.

"The strategy of Axis short wave propaganda remains the same—to attempt to divide country from country among the United Nations, race from race, religion from religion," said Mr. MacLeish. "Only its tactics change, as the enemy propagandists seize upon—or manufacture—new incidents or issues.

"The comparative study of Axis broadcasts—for example, the comparison of broadcasts directed at the United States and at Great Britain—has provided illuminating instances of the mind-poisoning technique of Goebbels and his Italian and Japanese imitators."

As an example, Mr. MacLeish cited a recent broadcast aimed at the United States which declared:

"The American foreign policy is dictated from Downing Street rather than from Washington, and will leave America holding the bag."

Thus, to Americans, the story is that their country is but a

(Continued on page 84)

What Stations Say About the

NAB "MANUAL OF RADIO ADVERTISING"

Another service to NAB members!

A valuable compilation of basic radio sales data — the first and only thing of its kind prepared for any advertising medium!

"Send eight copies . . ."
Please send immediately, eight copies of your new Manual—WOV

The Trade Press says—
I found the Manual most interesting and instructive. Certainly such a compilation of basic data has long been needed by the radio industry. I shall keep it close at hand and expect to use it often.—ADVERTISING AGE.

"Each Salesman will study . . ."
. . . Each salesman in our organization is going to spend considerable time studying it—WIBA

"In use so often . . ."
. . . The one we already have is in use so often that it never seems to be available to me, so this one will be ear-marked for my desk alone—WFIL

"For my own personal use . . ."
Words cannot express my appreciation of this, so far, very complete Manual. With the chapters yet to come, the radio industry will certainly have some very important material available in one volume. I wish you would forward me a copy for my own personal use—WBLK

"Almost daily use . . ."
A splendid piece of work and you deserve unlimited credit for the production of this important sales help. We shall have almost daily use for this Manual and it will be of very great assistance to our sales department—WLOK

A new use for it . . . .
. . . Please send two additional copies, one of which is to be used to give our clerical department a more complete insight and foundation to our daily problems—WKPT

For Reference Library
I note with great interest, your "Manual of Radio Advertising", and want to have the CBS Reference Library on your list—CBS

"Most constructive . . ."
Congratulations! This in my judgment is one of the most constructive projects that the NAB has yet undertaken. . . . Send four copies—WPTF

By Telegram
SEND SIX COPIES "RADIO SALES MANUAL". IT'S GREAT! —WBNS

. . . . . and dozens of others!

One copy sent free to every NAB member. Extra copies available *only* to NAB members. Complete price—$3.80, including all chapters *yet to come.* To order extra copies, use enclosed postcard or simply write to National Association of Broadcasters, 1626 K St. N.W., Washington, D. C.

NAZI "PARTY LINE"

(Continued from page 82)

tail to the English kite. But to the British, the Axis propagandists chant:

"The British Empire is dissolving like a lump of sugar into Roosevelt's tea cup."

And the Berlin radio within the past few days charged that the landing of American troops in Northern Ireland was, among other things, timed to "coincide with Roosevelt's gradual absorption of Australia and Canada."

During the Pan-American conference in Rio de Janeiro, enemy radio speakers from Berlin, Tokyo and Rome vied with enemy agents on the ground in a frantic but fruitless effort to disrupt harmony among the American Republics.

On the beam to South America, the United States was repeatedly charged with imperialistic designs. Many attempts were made to fabricate a picture of religious conflict. Among the fabrications was an allegation that the Vatican, which promptly denied the story, was urging the South American countries not to break off relations with the Axis. Another, via Italian radio, portrayed "Protestant Roosevelt" in an alliance with "Atheist Stalin" attacking "Catholic Fascism."

The Italian radio has been particularly abusive in attempting to vilify the United States in order to give South Americans the idea that their neighbors to the north are a nation of crooks governed by gangsters.

Said a Rome broadcast during the Rio conference:

"A noted North American gang leader accepted a recruit at once when the applicant stated that his experience-record included work for the F. B. I., for Mayor LaGuardia, Secretary Morgenthau, and lately for Sumner Welles. Cried the gang leader, 'That's enough! You have just the qualifications for a successful gangster.' "

"The enemy propagandists have the effrontery to broadcast statements diametrically at variance with authenticated news stories appearing on the front page of every American paper," Mr. MacLeish declared. "They are evidently ignorant of the fact that the American people are the best-read, best-informed people in the world."

The Director pointed to the thoroughly-documented record of the manner in which the Nazis have systematically plundered the countries which they have over-run, and of starvation conditions in Greece and other Nazi-dominated areas. In the face of these known facts, Berlin now broadcasts:

"It has always been the greatest concern of Germany to supply the necessary foodstuffs to those people who are standing under Germany's protection."

And the broadcast went on to blame the British blockade, rather than Nazi thievery of food and materials, for the distress of the occupied countries.

Despite the fact that the world is aware of the notorious conduct of Japanese troops in China, the Tokyo radio has as a favorite theme the nobility and high honor of the Jap soldier.

"It would seem," said Mr. MacLeish, "that Japan is a little sensitive about the treachery of Pearl Harbor. At least the Japanese apologists are taking great pains to point out how honorable the Japanese are. National honor, as we know it in the United States, does not need such high-pressure advertising."

The Axis effort to stimulate disunity among the United Nations is constant and as ingenious as it is unscrupulous. From Tokyo, broadcasts to Burma picture the Filipinos as deserting the Americans; broadcasts to the Philippines describe the Burmese as deserting the British.

Particular attention is being paid to Turkey in an effort to destroy that country's confidence in the United Nations. Shortly after the visit of British Foreign Minister Anthony Eden to Moscow, the Nazi radio made up the story that he had agreed that Russia should have the Dardanelles. The Turkish government investigated and found the report to be false, whereupon the German propaganda chiefs offered the alibi that they had been misled by a British news agency. That story, too, was investigated and found to be false.

A. F. of M.—AGMA SETTLEMENT

The A. F. of M. (Mr. Petrillo) and AGMA (Mr. Tibbett) have settled their feud about concert artists and accompanists by agreement. Mr. Petrillo appeared to be the winner. His jurisdiction was recognized. But AGMA gets jurisdiction in dealing with managers in the concert field.

FEDERAL COMMUNICATIONS COMMISSION

Chairman James Lawrence Fly of the FCC said on Monday at his press conference that the Commission has not yet decided on when it will invoke priorities against television and FM stations along with standard broadcast stations.

Discussing this he said that "the important thing was simply to bring into practical operation what has for some time appeared to be a fundamental policy on the part of the defense agencies. That is that there should not be future grants and we did what seemed to be the simplest thing to avoid trouble"—that was to stop the grants where there is existing primary service—for the time being. He said that what is to be done with FM and television that's another thing. "That has not been considered. Of course we have always had it in mind but there has been no specific policy adopted in relation to it. That is one thing that we will have to take up in the very near future. That's unavoidable, of course."

Mr. Fly said that the Commission has secured 30,000 more square feet of space for its personnel which he said was badly needed.

SHORTER FORM FOR BROADCAST RENEWALS

Looking to relieving the amount of paper work required for renewal of standard broadcast station licenses, the Commission approved a revised draft of Form 303, "Application for Renewal of Standard Broadcast Station Licenses." The form has been shortened from 10 pages to 5, and in other ways has been simplified to meet the cooperative suggestions made by various licensees.

The groundwork for simplification of Form 303 was laid last year at conferences between representatives of the FCC, NAB, NIB and FM, Inc. Gene Pulliam, WIRE, representing NAB, was chairman of the conference committee.

STATE LEGISLATION

KENTUCKY:

H. 230 (Crouch) LICENSE ALCOHOLIC BEVERAGES—To prohibit the sale and keeping for sale by holders of retail dealers licenses alcoholic beverages advertised by means of radio. Referred to Committee on Alcohol and Liquor Control.

NEW YORK:

S. 12 (Williamson) CONSUMER'S INSTALLMENT SALES ACT—Requires that installment sellers of goods for $2,000 or less and sales finance companies shall obtain license to do business from superintendent of banks, that such business shall not be associated with or adjacent to small loan business and that installment contracts shall contain all terms including interest charges in percentages, forbids extra charges, limits insurance coverage to amount due seller, provides for repossession and redemption of goods. Referred to Committee on Banks.

A. 984 (Ehrlich) CHILD LABOR—Prohibits employment of children under 16 years in theatrical performances, circuses, motion pictures, radio broadcast performances, except on amateur programs, without written consent of education board or officials. Referred to Committee on Education.

923 STATIONS

The Federal Communications Commission issued operating licenses to four stations and granted one permit for the construction of a new station during the month of January, 1942. One CP station was deleted. A comparative table by months follows:

	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1
Operating	835	836	837	836	849	854	859	859	869	877	882	887	891
Construction	46	54	54	55	48	43	44	53	44	38	37	36	32
	881	890	891	891	897	897	903	912	913	915	919	923	923

Radio Training Courses

SOUTHERN CALIFORNIA

Professor R. W. Sorensen, of the California Institute of Technology, Pasadena, and coordinator for Southern California, spent an hour and a half at headquarters on Monday, February 9. He returned to the Coast the same evening after air mailing directions for handling the thousands of accumulated letters which had been forwarded by the Southern California broadcast stations.

Professor Sorensen indicated that he was aggressively behind the training program and planned to make the courses widely available throughout his territory.

NORTH DAKOTA

J. M. Hetland, technical director, WDAY, Fargo, N. D., writes: "We have learned from our state coordinator that definite proposals for courses in Grand Forks, Valley City, Bismarck, Minot and Fargo have been sent in."

ARIZONA

Arizona stations are all actively at work back of the radio technician training program, according to Dick Lewis, KTAR, Phoenix, industry representative. He anticipates a progress report in the very near future. Prof. O. H. Polk, University of Arizona, is State Coordinator.

MANHATTAN COLLEGE, N. Y. C.

From Aldred D. Donovan, assistant director, Engineering Defense Training, Manhattan College, School of Engineering, New York City: "Following the recommendations of your Association, Manhattan College has set up defense training courses in the fundamentals of radio (Part No. 1) for the training of radio technicians. Our present plans are to train upwards of one thousand. . . ."

FLORIDA

Says Joseph Weil, University of Florida, Gainesville, State Coordinator: "Plans are now underway to offer fundamentals of radio, as outlined by the National Association of Broadcasters, in Pensacola, Jacksonville, Gainesville, Orlando, Miami and Tampa. It may be offered in other localities where qualified trainees are available and suitable instructors can be obtained."

KANSAS

Report by Guy V. Keeler, director, ESMDT, University of Kansas, Extension Division, Lawrence, Kans.:

During the past week organization meetings have been held in the following towns with the following results:

Atchison, 2 classes; Topeka, 4 or 5 classes; Emporia, 2 classes; Wichita, 3 classes.

In Kansas City, Kans. and Mo., a general meeting with representatives from all broadcast stations has been held. Mr. Keeler estimates that from 1,500 to 2,000 people, perhaps more, will be enrolled from the greater Kansas City area. We are working directly with Ben Ludy, of Topeka (industry representative), who has been interested and most helpful, he reported. Additional classes will be started soon and interest is high.

Mr. Keeler also revealed that there are enough qualified students in Pittsburg, Kans., to take part No. 2 of the radio technician training course. This class is made up of those who successfully completed a recent course in elementary radio engineering.

Kansas State College has two classes in radio, one in ultra-high frequency, designed for senior electrical engineering students, and one in radio technology.

A course has been in session for some weeks in Coffeyville.

COLORADO AND WYOMING

In Colorado members of radio engineering staffs are supplementing the faculties of engineering schools in teaching classes. This information came from Robert H. Hudson, Rocky Mountain Radio Council, Denver, who also wrote that radio technicians are being trained in Wyoming as well as in Colorado. Classes are being organized in Denver, Golden, Colorado Springs and Pueblo by the University of Colorado, the University of Denver and the Colorado School of Mines with the assistance of radio stations KOA, KLZ, KVOD, KFEL and KMYR, Denver, KVOR, Colorado Springs, and KGHF, Pueblo.

OREGON AND WASHINGTON

"Broadcasters in both Oregon and Washington are doing a grand job with regard to enrolling prospective radio technicians. Paul Connet, KGW-KEX, Portland, is handling the work in Oregon; Harvey Wixson, KHQ-KGA, Spokane, is taking care of eastern Washington; and George Priebe, KRSC, Seattle, is handling the work for eastern Washington. All in all, things are going along pretty well and these three men seem to be quite hopeful for the future," says Harry R. Spence, director of district 17, and President of KXRO, Aberdeen, Wash.

MISSOULA

A. J. Mosby, manager, KGVO, Missoula, Mont., wrote: "Thanks to the splendid work of Professors Gibbs and Schilling we are all set to get our radio technician schools started here by February 23."

LaGRANGE, GA.

Edwin Mullinax, general manager, WLAG, LaGrange, Ga., wrote: "WLAG is making good progress in getting radio school underway. Our understanding is that school will start about February 15 and are making plans accordingly. We have offered our studio as an instruction point without charge."

HAVERFORD COLLEGE

L. H. Rittenhouse, Hilles Laboratory of Applied Science, Haverford College, Haverford, Pa., wrote on February 8 that radio technician training courses are to be given at his college.

FLINT JUNIOR COLLEGE

Dean W. S. Shattuck of the Flint (Mich.) Junior College, intends to give radio technician training at his school.

MORNINGSIDE COLLEGE

Alvin H. Smith, chief engineer, KSCJ, Sioux City, Iowa, reports that 125 people turned out for the radio technician training course registration at Morningside College on February 3. Ninety-nine were eligible and signed up for the course.

MASSACHUSETTS

A meeting of Massachusetts broadcasters was held at Hotel Kenmore, Boston, on February 7, for the purpose of discussing various phases of the campaign for the establishment of radio training courses throughout Massachusetts. The principal speaker was Professor R. G. Douglass, Massachusetts Institute of Technology, state coordinator for defense training courses in the state. Other speakers were Professor John Henderson of Northeastern University, Boston; Arthur Stringer and Lynn Smeby of the National Association of Broadcasters. E. E. Hill, state industry representative, was chairman of the meeting. Those attending and the stations represented were:

WAAB-ANAC—Boston, Roy Harlow, Vice President, Yankee Network; Irving B. Robinson, Chief Engineer.

WBZ-WBZA—Boston and Springfield, Cy Young, Manager; Tod Sloane, Chief Engineer.

WEEI—Boston, Harold Fellows, General Manager; Philip Baldwin, Chief Engineer.

WHDH—Boston, Ralph G. Matheson, Manager; Harold Jones, Asst. Chief Engineer.

WCOP—Boston, Roland Hale, Chief Engineer.

WMEX—Boston, Alfred Pote, General Manager.

WORL—Boston, John Parker, Chief Engineer.

WRUL—Boston, Hollis Baird.

WHAI—Greenfield, James L. Spates, Manager.

WHYN—Holyoke, Thomas R. Humphrey, Chief Engineer.

WOCB—Hyannis, Rodney Merrill, Chief Engineer.

WLAW—Lawrence, John D. Maloy, Program Director; George A. Hinckley, Chief Engineer.

WLLH—Lowell-Lawrence, Robert F. Donahue, Manager; Ralph Newton, Chief Engineer.

WNBH—New Bedford, Irving Vermilya, General Manager.

WESX—Salem, Van D. Sheldon, Station Manager; Richard I. Hammond, Chief Engineer.

WMAS—Springfield, A. W. Marlin, Manager; Earl G. Hewinson, Chief Engineer.

WSPR—Springfield, Quincy A. Brackett, General Manager; Lawrence Riley, Chief Engineer.

WEAN—Providence, R. I., Harold Tilley, Chief Engineer.

MASSACHUSETTS RADIO SCHOOL—Guy Entwistle.

EASTERN RADIO INSTITUTE—Thomas J. Moore.

Cities in which it is planned courses will be given include Boston, Worcester, Springfield, Lowell, Fall River, New Bedford, Falmouth, Salem, Lynn, Brockton, Fitchburg, Newburyport, Greenfield, and Pittsfield. Others may be added from time to time. Cooperating institutions are expected to include: Massachusetts Institute of Technology, Harvard, Boston University, Boston College, Northeastern University, Tufts College, Worcester Polytechnic Institute, Massachusetts State College and possibly Simmons, Wellesley, and Smith.

ADOPT RESOLUTION

The following resolution, introduced by Cy Young, WBZ, was unanimously adopted:

WHEREAS the broadcasters of Massachusetts recognize the acute need for the training of radio technicians for service in the armed forces of our Country as well as in industry, and

WHEREAS, the National Association of Broadcasters has provided a national organization of educators and broadcasters who will assist in the establishment and development of such courses;

Now, therefore, be it resolved that the broadcasters of Massachusetts shall cooperate whole-heartedly with the State Coordinator and shall give unstintingly of their time and effort in providing the publicity, personnel and available equipment necessary to insure the success of the undertaking.

BOUTWELL URGES SPEED

William D. Boutwell, chief, Division of Radio, Publications & Exhibits, U. S. Office of Education, has recently reported on various radio training programs.

At the present time, he pointed out, in addition to the ESMDT program with which the broadcasting industry is cooperating, there are a number of regular vocational courses financed jointly by the Federal Government and the various states and administered by the Office of Education, in cooperation with state boards for vocational education and local public schools.

He said: "the Army alone needs about 6000 officers and 100,000 enlisted men, together with several thousand civilian radio technicians of professional grade. It is apparent the largest number the schools can train is not too many.

"Time is now of the essence. American education is moving forward on these fronts to train a vast army of radio technicians."

Radio Course Broadcasts

E. K. Cohan, CBS director of engineering, discussed the need for radio technician training over WABC-CBS on Saturday, February 7, with a repeat on Friday, February 12.

Mr. Cohan employed the magic of radio communication to interest his listeners in the courses in this fashion:

"Good Evening, Fellow Americans! Hearing a voice come out of that radio set of yours is an everyday occurrence, isn't it?—And it doesn't matter much whether the speaker is in New York or San Francisco, his voice comes to you the instant he speaks, without any tangible connection between the microphone he uses and the loudspeaker which reproduces his voice,—and regardless of the thousands of miles which may be separating the two points. Did you ever stop to wonder what miracle of science makes this possible?

"When you hear a news commentator casually say, 'This is London,' or, 'This is Chunking, China,' did you know that there are no transatlantic or transpacific cables in existence capable of bringing these voices to you, that only radio makes this possible?

"Do you realize that the first man to detect the presence of enemy aircraft off Hawaii used a device made possible through the development of the radio vacuum tube?

"Those little vacuum tubes in your radio set—and their big brothers in the transmitters—are capable of performing miracles unheard of forty years ago.

"They can detect fly-power electrical energy; they can amplify whispers to thunderous volume, and they can generate the energy that carries my voice to your loudspeaker.

"Those uncomplaining little vacuum tubes which took a 30,000-mile beating in your car radio—before the treads wore out—are the Aladdin Lamps of the twentieth century. To them we owe radio, television, long distance telephony, talking motion pictures, aircraft dispatching, aircraft communication and navigation, and the ability to hear, in New York on a Thursday evening, something being said by a commentator in Batavia the following Friday morning!

"The technical side of radio is mighty interesting work, and to those of you who have often said, 'I wish I knew more about it,' your government is offering you a free training course to equip you to become a radio technician—and to learn all about vacuum tubes and their many uses.

"Training courses in Fundamentals of Radio are now being given three evenings a week by dozens of colleges throughout the country. Additional classes are being set up as rapidly as they can be organized. There is no charge for this tuition, other than a few dollars for textbooks—which remain your property." Etc.

WTAD, QUINCY

WTAD, Quincy, Ill., has a fifteen-minute program "We're All Americans," and on Friday last it was used to emphasize the Radio Technician Training Program, according to a note from C. Arthur Fifer, general manager. Following are several lines from the middle commercial which lead into information concerning the courses:

"May we have your undivided attention for the next few moments? To an astounding extent the operations of this war depend upon radio. Not the kind of radio you are listening to now . . . but the kind of radio that directs the activities of our ships and men in battle. Frankly there are not enough technicians to man the posts. This is an appeal to you to take one of those posts. If you are a young man of fighting age, a post at battle station . . . if you are above military combat age . . . it is a complicated job . . . one needing special training . . . you will receive the training . . . that training will be arranged so that you can continue to carry on your regular activities . . ." etc.

War Notes

WBIG LOBBY DISPLAY

Major Edney Ridge, WBIG, Greensboro, N. C., has sent us a gloss print of a lobby display promoting "Public Relations and National Defense."

The top center consists of the "WBIG Honor Roll," with six stars, each one representing a station employee in service. Below is what is apparently a winged display board. On a white shield, on dark background, is lettered—"Remember, Our Country Is at War!" Below this appears "Talk Less—Do More." Between the two end displays is a bond poster.

WLS MAP SELLS

World maps are on the preferred reading list of radio listeners according to Glenn Snyder, manager, WLS, Chicago. He prevailed upon news editors Bentley and Lewis to edit a new map and then proceeded to sell them for a dime. A total of 38,249 has been sold from the beginning of the offer at six a. m. October 28, 1941.

WAR PROGRAM

"Remember Pearl Harbor" is the title of a new series of programs devoted to the war effort recently inaugurated by WMBD, Peoria, Ill. Helpful hints to listeners as to how to conserve rubber, waste paper, vital materials and other war material will be incorporated into the scripts. There is also information on defense bond sales, Red Cross campaigns, government needs for defense workers and announcements in behalf of the various branches of the armed services.

WIBX IS 100 PER CENT

Vice President Elliott Stewart of WIBX, Utica, N. Y., reports that the entire staff of 34 has signed up 100 per cent for the pay roll allotment plan as it concerns defense savings.

WHAT ABOUT THIS?

Instead of "Hitler," say "Adolph Schickelgruber." Suggestions comes from Dr. Edwin Davis, Omaha, Nebr.

"Those in control of broadcasts reaching countless millions," says Dr. Davis, "are not unaware of the tremendous power of wide-flung ridicule. "I realize that this thought is too obvious to be original; also that wars are not won by slogans. It nevertheless seems possible that such a campaign, given impetus by those qualified and able, might 'catch on' and gain nomentum, as has 'V-for-Victory'."

NORTH CAROLINA RESOLUTIONS

Three separate resolutions were unanimously adopted by the broadcasters composing the North Carolina Association of Broadcasters at their recent meeting in Wilmington according to A. E. Joscelyn, WBT, chairman, and Bryce Beard and Major Edney Ridge, WBIG, Greensboro, of the resolutions committee. That concerned with radio technicians has been referred to Lynne C. Smeby, NAB director of engineering, who has been handling this matter with the Commission. The second of the resolutions places North Carolina broadcasters on record as reiterating their desire to render full service to North Carolina and the nation throughout the war. The complete facilities and personnel of all stations were extended to the various government agencies and all branches of the armed forces. The third resolution acknowledged the presence of Captain C. W. Stark, Captain R. W. Petzoldt, Lieutenant R. C. Webb, Hart S. Cowperthwaite and then thanked them for their whole-hearted cooperation.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 16. They are subject to change.

Tuesday, February 17

Consolidated Hearing

NEW—WBNX Broadcasting Co., Inc., New York, N. Y.—C. P., **48300 kc.**, 8,730 sq. mi., unlimited time.

NEW—News Syndicate Co., Inc., New York, N. Y.—C. P., **47900 kc.**, 8,500 sq. mi., unlimited time.

NEW—FM Radio Broadcasting Company, Inc., New York, N. Y.—C. P., **48300 kc.**, 8,600 sq. mi., unlimited time.

NEW—Knickerbocker Broadcasting Co., Inc., New York, N. Y.—C. P., **48300 kc.**, 8,550 sq. mi., unlimited time.

NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—C. P., **48700 kc.**, 8,600 sq. mi., unlimited time.

NEW—Greater New York Broadcasting Corp., New York, N. Y.—C. P., **48700 kc.**, 8,500 sq. mi., unlimited time.

NEW—Mercer Broadcasting Company, Ewing Twp., N. J.—C. P., **44700 kc.**, 3,200 sq. mi., unlimited time.

Wednesday, February 18

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—C. P., **1480 kc.**, 1 KW night, 5 KW day, unlimited time.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Modification of C. P., **1520 kc.**, 1 KW night, 5 KW day, unlimited time.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Renewal of license, **1420 kc.**, 250 watts, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WMCA—Knickerbocker Broadcasting Co., Inc. (Assignor), WMCA, Inc. (Assignee), New York, N. Y.—Granted consent to the voluntary assignment of license of Station WMCA from Knickerbocker Broadcasting Co., Inc., to WMCA, Inc. (both companies being wholly owned by Mr. Edward J. Noble).

W81PH—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted modification of construction permit (B2-MPH-56) to change frequency from **48100 kc.** to **46500 kc.** (group B channel), to serve an area of 9,300 square miles.

Park Cities Broadcasting Corp., Dallas, Tex.—Granted motion for an extension of time within which to file Proposed Findings of Fact and Conclusions on application for construction permit for new station; time extended until February 13, 1942.

W2XMN—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to retransmit the transmissions of High Frequency Broadcast Stations W2XAG, W65H and W43B for the period February 24 to not later than April 25, 1942, in order to continue rebroadcasting experiments. Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **42800 kc.**, 40000 watts power, special emission for frequency modulation, with transmitter located at North of Alpine, N. J., from February 24 to not later than April 25, 1942, pending completion of new FM Station W31NY.

W43B—The Yankee Network, Boston, Mass.—Granted extension of special temporary authority to operate frequency modulation station commercially on **44300 kc.**, 50000 watts power, special emission for frequency modulation, using the transmitter of High Frequency Experimental Station W1XOJ at summit of Asnebumskit Hill, Paxton, Mass., from February 23 to not later than April 23, 1942, without prejudice to the issues to be determined in the hearing on application. (File No. B1-PH-51)

W9XBK—Balaban & Katz, Chicago, Ill.—Granted extension of special temporary authority to operate two transmitter units to be installed and operated from the State-Lake Bldg., Chicago; Link transmitter Type No. 50-UTX with 100 watts power for visual and Link transmitter Type 25-UBX, 25 watts power to be used for aural; temporary steel tower to be used on roof of said building, in order to conduct tests for the period February 14 to not later than March 15, 1942, in accordance with construction permit. (B4-PVB-50)

KOIN—KOIN, Inc., Portland, Ore.—Granted special temporary authority to operate with main transmitter of Station KALE as a special auxiliary transmitter for Station KOIN during the test period from 1 to 6 a. m., from February 9 to not later than March 9, 1942, in order to permit necessary servicing of KOIN's transmitter.

W2XAG—Carman R. Runyon, Jr., Yonkers, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **117190 kc.,** 5000 watts, special emission for frequency modulation, with transmitter located at 544 North Broadway, Yonkers, N. Y., from February 25 to not later than April 26, 1942.

W65H—WDRC, Inc., Hartford, Conn.—Granted extension of special temporary authority to rebroadcast High Frequency Broadcast Station W2XMN emissions from February 25 to not later than April 25, 1942.

W8XAD—WHEC, Inc., Rochester, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **42600 kc.,** 1000 watts, special emission for frequency modulation, with transmitter located at 979 Mt. Read Blvd., Rochester, N. Y., from February 25 to not later than April 26, 1942.

W65H—WDRC, Inc., Hartford, Conn.—Granted extension of special temporary authority to operate frequency modulation station commercially on **46500 kc.,** 1000 watts, special emission for frequency modulation, with transmitter located at Meriden, Conn., from February 25 to not later than April 25, 1942, pending completion of construction pursuant to construction permit.

TENTATIVE DECISIONS

Holding that the proposal is inconsistent with Commission's rules and, further, is contrary to equitable distribution of radio service, the Commission announced intended denial of the application by the City of New York Municipal Broadcasting System to increase the hours of operation of its station WNYC on the frequency 830 kilocycles with its present power of 1 kilowatt.

This licensee sought to operate from 6 a. m. to 11 p. m., Eastern Standard Time, using directional antenna, instead of daytime until sunset at Minneapolis, as at present.

In its Proposed Findings of Fact and Conclusions (B-140), the Commission is of the opinion that such a grant would not serve the public interest, convenience and necessity. The Commission's Rules Governing Standard Broadcast Stations provide that only one full time station may be assigned to the frequency in question (now used by Columbia Broadcasting System station WCCO at Minneapolis on an unlimited time basis) and that the power of such station shall not be less than 50 kilowatts (which is the power of WCCO). Simultaneous operation would result in interference detrimental to both stations. Also, grant of the application as proposed "would not tend toward an equitable distribution of radio service to the several states and communities" as contemplated by the provisions of Section 307(b) of the Communications Act. Commissioner Payne dissented.

The Commission denied a petition by Portsmouth Radio Company requesting a grant without further hearing of its application for a new station in Portsmouth, Va., to operate on 1490 kilocycles with 250 watts power, unlimited time. The Commission directed that further hearings on the application be held in the light of the existing situation on the availability of materials.

At the same time, the Commission denied the application of R. N. Wallace and G. E. Schnibben, doing business as Norfolk County Broadcasting Co., for like facilities at Norfolk, Va. (B-147)

DESIGNATED FOR HEARING

McKeesport Radio Co., McKeesport, Pa.—Designated for hearing application for construction permit for new station to operate on **1360 kc.,** 1 KW, daytime only; exact site to be determined, subject to Commission's approval (B2-P-3186).

Ralph W. S. Bonnett, Sandusky, Ohio.—Designated for hearing application for construction permit (B2-P-3362) for new station to operate on **1450 kc.,** 250 watts, unlimited time; exact site to be determined, subject to Commission's approval.

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Designated for hearing application for construction permit (B4-P-3335) to increase power from 1 KW night, 5 KW LS, to 5 KW night, 10 KW LS, directional antenna for night use, and make changes in transmitting equipment.

WMAS—WMAS, Inc., Springfield, Mass.—Designated for hearing application for construction permit (B1-P-3228) to change frequency from **1450** to **910 kc.,** increase power from 250 watts to 1 KW, install new transmitter and directional antenna system for day and night use.

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending in no event later than February 1, 1944:

KIEV, Glendale, Calif.; KOA, Denver, Colo.; WGY and auxiliary, Schenectady, N. Y.; WHB and auxiliary, Kansas City, Mo.; WKAR, East Lansing, Mich.; WOI, Ames, Iowa; WPTF and auxiliary, Raleigh, N. C.; WRUF, Gainesville, Fla.

Granted renewal of following station licenses for the period ending in no event later than April 1, 1944:

KGA, Spokane, Wash.; KOMA, Oklahoma City, Okla.; KWJJ, Portland, Ore.; WBAL, Baltimore, Md.; WDGY, Minneapolis, Minn.; WDZ, Tuscola, Ill.; WINS, New York, N. Y.; WOAI and auxiliary, San Antonio, Tex.; WQXR and auxiliary, New York, N. Y.

MISCELLANEOUS

WMAL—M. A. Leese Radio Corp., Washington, D. C.—Granted modification of license for change in name of license corporation from M. A. Leese Radio Corp., to The Evening Star Broadcasting Co. (B1-ML-1111).

KGW—Oregonian Publishing Co., Portland, Ore.—Granted license to cover construction permit as modified, which authorized installation of directional antenna and increase in power (B5-L-1591); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1328).

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted license to cover construction permit as modified, which authorized change in frequency, increase in power, installation of new transmitter, and directional antenna for night use and move of transmitter (B4-L-1554); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1284).

WTAX—WTAX, Inc., Springfield, Ill.—Granted license to cover construction permit which authorized changes in transmitting equipment (B4-L-1604).

WAKR—Summit Radio Corp., Akron, Ohio.—Granted modification of construction permit for increase in power, changes in equipment, changes in directional antenna for night use only, for extension of completion date from March 1 to September 1, 1942 (B2-MP-1497).

W49BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Granted modification of construction permit as modified which authorized new high frequency broadcast station, for extension of completion date only, from February 13 to July 13, 1942 (B1-MPH-65).

WJAR—The Outlet Company, Providence, R. I.—Granted construction permit to make changes in and move old main transmitter to site of new main transmitter, East Providence, R. I., for use as auxiliary transmitter with power of 1 KW, for emergency use only (B1-P-3430).

WBZ—Westinghouse Radio Stations, Inc., Boston, Mass.—Granted construction permit for changes in transmitting equipment (B1-P-3419).

KDKA—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Granted construction permit for changes in transmitting equipment (B2-P-3423).

WHEB—WHEB, Inc., Portsmouth, N. H.—Denied request for special temporary authority to begin operation at 7 a. m., EST (time is in accordance with Public Law No. 403, approved January 20, 1942, effective 2 a. m., February 9, 1942), using power of 250 watts to 7:45 a. m., EST, from February 9 to February 28, 1942.

Don Lee Broadcasting System, Portable-Mobile, area of San Francisco, Calif.—Granted construction permit for new relay broadcast station; **1646, 2090, 2190, 2830 kc.,** 100 watts (B5-PRY-264).

WAAU—Columbia Broadcasting System, Inc., Portable-Mobile, area of Chicago, Ill.—Granted modification of license of relay station to designate station WBBM, Chicago, as the standard broadcast station with which the station shall be operated, instead of standard broadcast station WABC, New York, N. Y. (B4-MLRY-29).

KEID—KCMO Broadcasting Co., Portable-Mobile, area of Kansas City, Mo.—Granted application for license for reinstatement of relay broadcast station license which expired December 1, 1942 (B4-LRE-374).

KEIE—KCMO Broadcasting Co., Portable-Mobile, area of Kansas City, Mo.—Granted application for license for reinstatement of relay broadcast station license which expired December 1, 1942 (B4-LRE-375).

New Laurel Radio Station, Inc., Portable-Mobile, area of Laurel, Miss.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.,** 50 watts (B3-PRY-268).

KEHD—Topeka Broadcasting Assn., Inc., Portable-Mobile, area of Topeka, Kans.—Granted application for license for reinstatement of relay broadcast station license which expired December 1, 1941 (B4-LRE-373).

W9XCB—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted modification of construction permit as modified which authorized new television broadcast station, for extension of completion date from January 15 to July 15, 1942 (B4-MPVB-69).

WCBX—Columbia Broadcasting System, Inc., Brentwood, N. Y.—Granted modification of construction permit as modified, which authorized increase in power, installation of new transmitter, move of transmitter and additional frequencies, for extension of completion date from January 25 to February 25, 1942 (B1-MPIB-34).

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted special temporary authority to operate the auxiliary transmitter between the hours of 12 midnight and 6 a. m., PST, daily, for a period not to exceed 30 days, in order to permit necessary servicing of the main transmitter.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W53PH commercially on **45300 kc.,** 1 KW power, without frequency modulation monitor, using temporary transmitter R.E.L. Type 518, maximum rated carrier power output 1 KW, located atop the Widener Bldg., Philadelphia, for the period beginning February 4, and ending in no event later than March 5, 1942, pending completion of construction in accordance with construction permit as modified.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted license to cover construction permit to move old licensed 1 KW transmitter to site of new main transmitter, and use as auxiliary for emergency purposes only (B4-L-1600).

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted license to cover construction permit as modified, in part, for new transmitter and increase in power (B2-L-1605).

WRRN—Nied & Stevens, Warren, Ohio.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1337).

WNOE—WNOE, Inc., New Orleans, La.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1339).

WFNC—Cumberland Broadcasting Co., Fayetteville, N. C.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1320).

Frequency Broadcasting Corp., Brooklyn, N. Y.—Granted petition for 60-day continuance of hearing now set for February 16 on application for new FM station, and hearing continued to April 15.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Granted motion for order to take depositions in re applications of KSFO, San Francisco, and KQW for construction permits to operate on **740 kc.**

Donal Flamm, New York City.—Granted petition to accept amendment to application for new station, to specify transmitter site.

KRBC—Reporter Broadcasting Co., Abilene, Tex.; WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.; San Jacinto Broadcasting Co., Houston, Tex.—Granted joint motion for 60-day continuance of hearing now set for February 12, on applications for use of **1470 kc.,** and hearing continued to April 13.

Herman Radner, Dearborn, Mich.—Granted petition for leave to amend application to reduce power to 250 watts; denied as to request for removal from hearing docket.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted petition for leave to intervene in the hearing on application of KWFT, Wichita Broadcasting Co., Wichita Falls, Tex., for modification of license.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted petition for leave to intervene and enlarge issues in re hearing on application of WDNC, Durham Radio Corp., Durham, N. C., for construction permit to change facilities.

Jewel Lee Noble, E. Francis Egleston, M.D., and James W. Bonner, d/b as Physicians and Surgeons, Emergency Radio Call Service, San Francisco, Calif.—Granted motion for dismissal without prejudice of application for construction permit for new experimental station.

Jewel Lee Noble and Harry Bell, d/b as Physicians and Surgeons, Radio Page Service, Los Angeles, Calif.—Granted motion for dismissal without prejudice of application for construction permit for new experimental station.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted in part motion for postponement of hearing to February 24 on application for renewal of license now scheduled for February 9.

WJJD—WJJD, Inc., Chicago, Ill.—Denied request for special temporary authority to begin operation at 7 a. m., CST (time in accordance with Public Law No. 403, effective February 9, 1942), from February 9 to February 28, 1942.

WHKC—United Broadcasting Co., Columbus, Ohio.—Denied request for special temporary authority to operate additional time on February 13, 1942.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted extension of special temporary authority to operate unlimited time with power of 5000 watts daytime and 1000 watts nighttime, using transmitter and south tower of antenna system located on Dixie Highway, State Road 27, 2 miles from city limits, northwesterly direction from Chattanooga, from February 8 to not later than March 9, 1942, pending completion of construction in accordance with construction permit as modified, provided frequency and modulation monitors are in operation at new site on commencing operation and that transmitter is adjusted to within five cycles of assigned frequency during experimental period.

WTAW—Agricultural & Mechanical College of Texas, College Station, Tex.—Granted special temporary authority to operate additional time from 8 to 9 p. m., CST, February 11, 1942, only, in order to broadcast special program in connection with a concert to be given by the choir of the Texas State College for Women.

WAIT—WAIT, Inc., Chicago, Ill.—Denied request for special temporary authority to begin operation at 7 a. m., CST, from February 9 to February 28, 1942.

Southwestern Michigan Broadcasting Co., Kalamazoo, Mich.—Denied petition for reconsideration, rehearing, and other relief directed against Commission action of October 21, 1941, granting without hearing the application of WSIX, Inc., Nashville, Tenn., for modification of construction permit (B3-MP-1364) to increase night power from 1 to 5 KW on the frequency **980 kc.,** make changes in directional antenna system and install new transmitter, and approval of transmitter site.

Ashland Broadcasting Co., Ashland, Ky.—Placed in pending files pursuant to Order No. 79 application for construction permit (B2-PH-39) for new station.

APPLICATIONS FILED AT FCC

610 Kilocycles

WAYS—Inter-City Advertising Co., Charlotte, N. C.—License to cover construction permit (B3-P-2878) as modified, for a new broadcast station and approval of studio site.

WAYS—Inter-City Advertising Co., Charlotte, N. C.—Authority to determine operating power by direct method.

700 Kilocycles

WLW—The Crosley Corporation, Cincinnati, Ohio.—Authority to determine operating power by direct measurement.

710 Kilocycles

WFTL—Ralph A. Horton, Ft. Lauderdale, Fla.—Modification of construction permit (B3-P-3355) which authorized change in frequency, from **1400** to **710 kc.,** increase in power from 250 watts to 10 KW, installation of new transmitter and directional antenna for night use and move transmitter, for approval of antenna and of transmitter site at South side of The North New River Canal, 9 miles, west of Fort Lauderdale, Fla., and change type of transmitter proposed.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Construction permit to install new transmitter, install directional antenna for day use, increase power from 1 KW to 10 KW, and change hours of operation from limited time to daytime.

900 Kilocycles

WSBA—Susquehanna Broadcasting Co., York, Pa.—Modification of construction permit (B2-P-3314) as modified, for a new broadcast station, requesting approval of antenna and approval of studio and transmitter site at U. S. Route 111, North of York, Pennsylvania.

910 Kilocycles

WRNL—Richmond Radio Corporation, Richmond, Va.—License to use directional antenna at night with auxiliary transmitter.

WRNL—Richmond Radio Corporation, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power by direct measurement of auxiliary transmitter, employing directional antenna at night.

WRNL—Richmond Radio Corporation, Richmond, Va.—License to cover construction permit (B2-P-2995) for new transmitter, changes in directional antenna for night use, and move of transmitter.

WRNL—Richmond Radio Corporation, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

930 Kilocycles

WJAX—City of Jacksonville, Jacksonville, Fla.—Construction permit to change power from 1 KW night and 5 KW day to 5 KW day and night, make changes in equipment and install directional antenna for night use. Amended: to show **930 kc.** under NARBA, and make changes in directional antenna.

970 Kilocycles

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Construction permit to increase power from 1 KW to 5 KW day and night, install new transmitter and make changes in directional antenna for night use. Amended: re directional antenna.

WCSH—Congress Square Hotel Co., Portland, Maine.—Construction permit to install new transmitter and vertical antenna at former site of main transmitter, 579 Congress St., using 250 watts power for use as auxiliary transmitter for emergency use only.

1080 Kilocycles

KWJJ—KWJJ Broadcast Co., Inc., Portland, Oregon.—License to cover construction permit (B5-P-3354) for changes in equipment.

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—License to cover construction permit (B4-P-3224) for increase in power from 100 to 250 watts daytime and changes in equipment.

1200 Kilocycles

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Modification of construction permit (B1-P-2963, as modified), which authorized a new station on **1200 kc.,** 250 watts, unlimited time, at Worcester, Mass., with amplifiers at Auburn, Marlboro and Whitinsville, Mass., using 100 watts, for extension of completion date from 2-17-42 to 8-17-42.

1230 Kilocycles

WCAX—Burlington Daily News, Inc., Burlington, Vt.—License to cover construction permit (B1-P-3082) as modified, for a new transmitter, installation of directional antenna for day and night use, change in frequency, increase in power and move of transmitter.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Authority to determine operating power by direct method.

WJNO—WJNO, Inc., West Palm Beach, Fla.—Construction permit to reinstate B3-P-3041 (which expired 9-23-41) to use formerly licensed composite transmitter and install vertical antenna as an auxiliary unit at 511 Datura Street, West Palm Beach, Florida, and specify **1230 kc.** under NARBA.

1240 Kilocycles

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—License to cover construction permit (B5-P-3235) for increase in power and installation of new transmitter.

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—Authority to determine operating power by direct method.

KROY—Royal Miller, Sacramento, Calif.—Construction permit for change in frequency from **1240** to **1030 kc.,** increase in power from 100 watts to 10 KW, move transmitter from 14th Ave. & 65th Street, Sacramento, Calif., to Del Paso Road, Sacramento, Calif., and install new transmitter and directional antenna for day and night use.

1300 Kilocycles

NEW—Sikeston Community Broadcasting Co., Sikeston, Mo.—Construction permit for a new broadcast station to be operated on **1300 kc.,** 250 watts, daytime.

1340 Kilocycles

KXRO—KXRO, Inc., Aberdeen, Wash.—Construction permit to change frequency from **1340** to **1520 kc.,** and increase power from 250 watts to 1 KW, install new transmitter and make changes in vertical radiator. Amended: re ground system.

NEW—Hugh McClung, Sacramento, Calif.—Construction permit for a new station on **1340 kc.,** 250 watts, unlimited time. Amended: to specify transmitter site as site to be determined, Washington Twp, Yolo County, Calif.

WSAV—WSAV, Inc., Savannah, Ga.—Construction permit to change frequency from **1340** to **1370 kc.,** increase power from 250 watts to 1 KW, install new transmitter and install directional antenna for night use.

WCLS—WCLS, Inc., Joliet, Ill.—Construction permit to move transmitter approximately 250 feet from present site, Elgin at Walnut St., Joliet Twp., Ill., to 601 Walnut St., Joliet, Ill.

1350 Kilocycles

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover construction permit (B4-P-2726) as modified, to move transmitter, new directional antenna for night use and increase in power. Amended: re supplemental engineering data.

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct measurement. Amended: re supplemental engineering data.

1380 Kilocycles

KBWD—Wendell Mayes, Joe N. Weatherby, B. P. Bludworth, and J. S. McBeath, d/b as Brown County Broadcasting Co., Brownwood, Tex.—Voluntary assignment of license from Wendell Mayes, Joe N. Weatherby, B. P. Bludworth, and J. S. McBeath, d/b as Brown County Broadcasting Company to Brown County Broadcasting Company.

1400 Kilocycles

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Acquisition of control by Mutual Savings Life Insurance

Company through purchase of 60 shares (40%) common stock from Clarence H. Calhoun, Jr. Amended: re stockholders.

WCOS—Carolina Advertising Corp., Columbia, S. C.—Voluntary assignment of license from Carolina Advertising Corporation to Carolina Broadcasting Corporation.

1450 Kilocycles

WNOE—WNOE, Inc., New Orleans, La.—Construction permit to change frequency from **1450** to **1060 kc.,** increase power from 250 watts to 50 KW, install new transmitter and directional antenna for day and night use, and move transmitter from New Orleans to approximately 2 miles northeast of Ama, La.

WKEU—Radio Station WKEU, Griffin, Ga.—Construction permit for increase in power from 100 to 250 watts, increase in hours of operation from daytime to unlimited time, change transmitter site and make changes in antenna. Amended: re engineering data.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Voluntary assignment of permit and license from Community Broadcasting Corporation to Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham.

WRLC—R. G. LeTourneau, Taccoa, Ga.—Construction permit to change frequency from **1450 kc.** to **1420 kc.,** increase power from 250 watts to 1 KW, change hours of operation from unlimited to daytime, and make changes in equipment and antenna.

1460 Kilocycles

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover construction permit (B4-P-2727) as modified, for move of transmitter, new directional antenna for night use and increase in power. Amended: re supplemental engineering data.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct measurement. Amended: re supplemental engineering data.

1490 Kilocycles

NEW—Westcoast Broadcasting Co., Wenatchee, Wash.—Special service authority to make changes in equipment and operate on **560 kc.,** with power of 500 watts, 1 KW LS, until completion of construction of antenna.

FM APPLICATIONS

W51NY—National Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-PH-15) as modified, for a new high frequency broadcast station, requesting extension of completion date from 2-27-42 to 3-27-42.

W63C—National Broadcasting Co., Inc., Chicago, Ill.—Modification of construction permit (B4-PH-31), as modified, for a new H.F.B. station for extension of completion date from 3-3-42 to 12-3-42.

TELEVISION APPLICATION

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PVB-33) as modified, for a new television station, requesting extension of completion date from 4-15-42 to 10-15-42.

MISCELLANEOUS APPLICATIONS

NEW—Banks of The Wabash, Inc., Terre Haute, Ind.—Construction permit for a new low frequency relay station on **1622, 2058, 2150, 2790 kc.,** 40 watts, A-3, unlimited time. Location of transmitter area of Terre Haute, and Vigo County, Indiana. Portable-Mobile.

W6XDU—Don Lee Broadcasting System, Portable-Mobile, Los Angeles and environs.—Modification of construction permit (B5-PVB-83, which authorized addition of aural equipment using special emission) for extension of commencement and completion dates only, from 9-1-41 and 3-1-42 to 3-1-42 and 9-1-42, respectively.

WTNK—WOAX, Incorporated, Portable-Mobile, area of Trenton, N. J.—License for reinstatement of relay broadcast station license which expired 10-1-41.

NEW—Larus & Brother Company, Inc., Richmond, Va.—Construction permit for new relay broadcast station, on **31620, 35260, 37340, 39620 kc.,** 100 watts, A-3 emission. Location: transmitter, Hotel Richmond, Ninth & Grace Sts., Richmond, Virginia.

NEW—Eastern Carolina Broadcasting Co., Portable-Mobile, area of Goldsboro, N. C.—Construction permit for a new low frequency relay broadcast station to be operated on **1646, 2090, 2190** and **2830 kc.,** power of 50 watts, A3 emission, unlimited time.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to determine operating power by direct method for auxiliary transmitter.

NEW—United Broadcasting Co., Cleveland, Ohio.—Construction permit for a new relay broadcast station. Frequencies: **31620, 35260, 37340, 39620 kc.** Power of 50 watts, A3 emission. Location: 1311 Terminal Tower, Cleveland, Ohio.

KFAS—Midnight Sun Broadcasting Co., Portable-Mobile, area of Fairbanks, Alaska.—License for reinstatement of relay broadcast station license which expired 12-1-41.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Dickson Weatherproof Nail Co.—A complaint has been issued charging Dickson Weatherproof Nail Co., 1615 Sherman Ave., Evanston, Ill., with making false claims with respect to the superiority of certain roofing nails it sells. The respondent has a branch office and factory at Birmingham, Ala. (4700)

Erdley Hatcheries—John F. Erdley, trading as Erdley Hatcheries, Wray, Colo., and Montgomery Ward and Co., Chicago, are charged in a complaint with misrepresentation in the sale of baby chicks. The respondent Erdley is engaged in the hatching and selling of baby chicks, and Montgomery Ward and Co., in connection with its business, makes contracts with hatcheries in various States, including Erdley's, for the purchase of baby chicks. (4696)

Hollywood Magic Garment Company—Misrepresentation of the results to be obtained from use of a weight-reducing device designated "Hollywood Magic Garment" is alleged in a complaint issued against Hollywood Magic Garment Co., 1019 North Las Palmas Ave., Hollywood, Calif. (4702)

Robert W. Irwin Company—A complaint has been issued charging Robert W. Irwin Co., 23 Summer Ave., Grand Rapids, Mich., manufacturer of household furniture, with misrepresenting the kind of wood from which certain of its products are manufactured. (4701)

Lincoln Academy, Inc.—Allegedly misrepresenting their correspondence school as being connected with the United States Government or the United States Civil Service Commission, Lincoln Academy, Inc., 43 Lincoln Park, Newark, N. J., and its officers, Mr. and Mrs. K. Arnold Freedman, are named respondents in a complaint. (4703)

New Standard Publishing Company, Inc.—Alleging misrepresentation and deceptive practices in the sale of "Doubleday's Encyclopedia" to teachers, students, professional and business men and club women in various States, a complaint has been issued against New Standard Publishing Co., Inc., encyclopedia dealer, Richmond, Va., Julius B. Lewis, president of the New Standard Company and Doubleday-Doran & Co., Inc., Garden City, Long Island, N. Y., publishing house. (4697)

New York Graphic Society, Inc.—Eight art picture publishers and dealers, seven of them located in New York and one in Detroit, are charged with a combination and conspiracy in restraint of competition in the sale of their products, in a complaint.

Respondents in the case are: Rudolph Lesch Fine Arts, Inc., 225 Fifth Ave., New York Graphic Society, Inc., 10 West 33rd St., Erich S. Herrmann, Inc., 385 Madison Ave., David Ashley, Inc., 230 Fifth Ave.; Raymond & Raymond, Inc., 40 East 52nd St.; Reinthal & Newman, Inc., 33 West 34th St., and International Frame and Picture Co., Inc., 225 Fifth Ave., all of New York; and International Art Publishing Co., Inc., 242 West Lafayette Ave., Detroit. (4693)

Parker-Thompson Company—Charging the use of a lottery plan in the sale of men's clothing, a complaint has been issued against Albert Rose, trading as Parker-Thompson Co., 1205 I St., N. W., Washington, D. C.

The complaint alleges that the respondent solicits purchasers to buy suits or overcoats under a "club" plan involving a lottery contrary to Federal Government policy and the Federal Trade Commission Act. (4699)

Rex Products Corporation—Misrepresentation is charged in a complaint issued against Rex Products Corporation, 111 Cedar St., New Rochelle, N. Y., engaged in the manufacture and sale of toilet compacts. (4695)

A. Stein & Company—A complaint has been issued charging A. Stein & Co., Chicago, manufacturer of men's accessories, with misrepresentation in the sale of products made of "Vinylite," a plasticized material having a glass-like appearance. (4690)

Velodent Products Manufacturing Co., Inc., 429 West Broadway, New York, engaged in the manufacture and sale of shaving cream, is charged in a complaint with misrepresentation. (4694)

Von Drug Company—A complaint alleging misrepresentation of the therapeutic properties of a medicinal preparation designated "Von's Pink Tablets," advertised as a treatment for stomach ulcers, has been issued against George Von Nieda, trading as Von Drug Co., Miami Beach, Fla. (4704)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Garber-Eagle Oil Corporation—Two Brooklyn food products distributors have stipulated to cease certain representations in the sale of Worcestershire sauce. The respondents are Garber-Eagle Oil Corporation, 345 Hewes St., and Louis Gerber, Nat Gerber and Samuel Gerber, trading as Gerber Bros., 2nd Ave. and 45th St. (3379-3380)

Los Angeles Period Furniture Co., 1838 East Santa Barbara Ave., Los Angeles, in a stipulation entered into agrees to discontinue designating or describing any mirror not actually backed by genuine metallic copper applied by the electrolytic process as being made with a copper back; provided, however, that if the word "copper" is used properly to designate the copper content of backing not electrolytically applied, then such word shall be immediately accompanied, in equally conspicuous type, by other words clearly indicating that the mirror backing is not genuine metallic copper backing electrolytically applied. (3381)

Remington Rand, Inc., Buffalo, N. Y., stipulated that it will discontinue representing that its electric shavers designated as "Speedak," "Rand Close Shaver," "Remington Close Shaver" and "Remington Dual Close Shaver" cannot irritate the skin and will cure ingrown hairs and eliminate or prevent the formation of scar tissue. (02944)

Schick Incorporated, Stamford, Conn., has entered into a stipulation to cease and desist from representing that its electric shavers equipped with the so-called "Whisk-Its" attachment are the only shavers which feature or include means to catch or hold and retain beard clippings. (3382)

Engval Vaatveit, McIntosh, Minn., engaged in selling bronze plates for use in making memorials, entered into a stipulation to cease and desist from representing that salesmen, distributors or dealers handling his products can, within a specified period of time, make profits in excess of the average net profits consistently made in like periods of time by his active full-time salesmen, distributors or dealers in the ordinary course of business. The respondent also will cease representing that persons engaged in the business of making memorials from bronze plates procured from him require no capital and need not make any investment in the business. (02945)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

Do-Ray Lamp Co., Inc., 1458 South Michigan Ave., Chicago, manufacturer of fog lamps, auxiliary driving lights, reflectors, flares and other automobile accessories, have agreed to discontinue misrepresentations in the sale of a driving lamp. (4218)

Parke, Austin & Lipscomb, Inc., and its subsidiary, Smithsonian Institution Series, Inc., both of 500 Fifth Ave., New York, have been ordered to discontinue the use of deceptive acts and practices in the sale of books entitled "Smithsonian Scientific Series" and "World Epochs." The order also is directed against the officers of the corporate respondents, Alfred Monett, president; Robert A. Hogan, Jr., treasurer; and Joseph M. McAndrews, secretary. (4465)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 8, February 20, 1942

20,000 ACCEPTED FOR RADIO TRAINING MORE FUNDS BEING SOUGHT

Please Discontinue All Radio Training Announcements

The first unit in the Radio Technician Training Program is to consist of 20,000 persons.

Courses for 12,700 have already been approved. Courses for 6,000 eligible applicants are being processed. The remainder of the 20,000 are included in proposals from colleges and universities not yet tabulated.

This is today's status of the cooperative enterprise of educators and broadcasters to impart the fundamentals of radio. Statistics were revealed at a joint conference on Tuesday, February 17, in the office of Lieutenant Colonel N. A. Burnell, II, Director of Defense Training, Federal Security Agency. Besides Colonel Burnell those present were Dean Audrey A. Potter, College of Engineering, Purdue University, and Chairman, National Advisory Committee, Engineering, Science and Management Defense Training, U. S. Office of Education; Dean R. A. Seaton, Director, ESMDT; Neville Miller, Lynne Smeby and Arthur Stringer, all of NAB.

A letter recently sent to all stations by A. J. Fletcher, member-in-charge of the Radio Training Courses, asked broadcasters to discontinue the broadcast of announcements in behalf of the training program. This was mailed at the request of Dean Seaton. The Dean explained at Tuesday's meeting that "unfortunately funds are insufficient to take care of all who have applied", but that every effort was being made

(Continued on page 98)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

WAR DEPARTMENT

Bureau of Public Relations

Washington

February 19, 1942.

Mr. Neville Miller, President
National Association of Broadcasters
1626 K Street, N. W.
Washington, D. C.

Dear Mr. Miller:

The War Department is deeply grateful to the National Association of Broadcasters for its prompt response to the Army's request for cooperation in publicizing the urgent need of the Army Emergency Fund by radio stations throughout the country.

I am sure that radio executives can apreciate the fact that in the raising of an Army of nearly four million men this year, increasing to seven or more million men, and with the immediate raising of an Air Force of two million, the impact of war has come to millions of families throughout the nation.

As this Army grows and is engaged in combat round the world in defense of our nation, not only sorrow for lost ones, but real financial burdens will come to countless families. To alleviate this financial distress is the purpose of the Army Emergency Fund.

The patriotic response of American broadcasters which has come in to us from all sides is most re-assuring. Because of a last minute change in plans, however, we are asking radio stations to hold up the announcements until further notice.

Let me thank you and the broadcasters again. Together we are sharing the fortunes of war; together we feel that "if it helps the Army, it helps you also."

Very sincerely,

John Thomas Taylor,
Colonel, C. W. S.,
Assistant to the Director.

"THIS IS WAR" SERIES

Blue, CBS and NBC affiliate stations may grant permission to non-network stations to:

(1) Pick up from the network station by radio receiver and to rebroadcast the program, "THIS IS WAR!"

(2) Take the program from the network station over a line supplied by the non-network station and broadcast it.

(3) Transcribe the program either off the air or over line and broadcast the transcription after eleven P. M., Local Time.

(4) Blue, CBS and NBC affiliates may transcribe the program and rebroadcast the transcription after eleven P. M., Local Time, in addition to broadcasting the program at its regular time.

DISTRICT 6

Hoyt Wooten, WREC, Memphis, was unanimously elected director for the sixth NAB district at a meeting February 18 in New Orleans.

Mr. Wooten succeeds Edwin W. Craig, WSM, Nashville. The meeting unanimously adopted the following resolution, thanking Mr. Craig for his services as a director:

Whereas Edwin W. Craig, now concluding his second term as director of the 6th District, finds it impossible to longer serve in that capacity due to press of other work and whereas we the stations of his district are fully aware of the unselfish service and untiring efforts of Edwin Craig, not only in our behalf, but in the interest of the industry as a whole:

And whereas his service to the Industry has been indeed coincident with his long experience as a broadcaster and has far exceeded in both length and quality of service all normal demands, now therefore be it resolved that in our farewell to Edwin W. Craig as a director we express at once our earnest appreciation of his abilities, our sincere obligation to his impartiality and our heartfelt best wishes for all he undertakes.

Carl Haverlin, vice president of BMI discussed the new contract and following his presentation a resolution was unanimously adopted pledging all present to continued support of BMI and urging similar action by other sixth district broadcasters.

Leonard Callahan, general counsel for SESAC, and Robert Murray, public relations director of ASCAP, outlined their services.

At the noon luncheon the delegates were guests of the New Orleans stations. Major F. R. Worthington, U. S. Marine Corps, Robert Coleson of the Radio Section of the Public Relations Branch of the War Department and Lieut. Robert Read, U. S. Navy, public relations officer for the eighth Naval District, spoke.

At the afternoon session, Robert Richards, assistant to J. Harold Ryan of the Office of Censorship, spoke and a round table discussion of the censorship matter was had.

Associate members of NAB were heard; Claude Barrere of NBC Thesaurus, Herbert Denny of Standard Radio, and "Cy" Langlois of Lang-Worth, gave information of their services.

C. E. Arney, Jr., assistant to the president of NAB, detailed the activities which have been carried on.

The following resolutions were adopted:

I

Inasmuch as the New Orleans stations have entertained the visitors to this 6th District meeting so royally,

Therefore Be It Resolved: That a vote of thanks and appreciation for their courtesy and hospitality be conveyed to the committee in charge of arrangements and to WSMB, WWL, WDSU, WNOE and WJBW.

II

Inasmuch as the Broadcasting Industry has been tireless in its efforts in behalf of all aspects of national welfare and defense, and in particular, in support of the activities of the U. S. Treasury Department, and,

Whereas, it must be recognized that the ability of the Broadcaster to continue to assist the government in such respects is purely dependent upon his economic welfare, now, therefore,

Be It Resolved: By the Broadcasters of the 6th District, that the U. S. Treasury Department be respectfully requested to prepare and furnish to the Industry a series of scripts and other program material of interest to the Department and furthermore, to sanction and approve the attempt of the Industry to have this series sponsored by advertisers.

III

Whereas, New Orleans is one of the most interesting, charming, unique and picturesque cities in America, and

Whereas, New Orleans, by reason of its central location, equable climate, splendid hotel, meeting room, restaurant and recreational facilities, can assure the success of our national convention in every respect, and

Whereas, the South has never had the privilege of serving as host to our national convention, and

Whereas, New Orleans has offered its hospitality for a period of years, and

Whereas, The By-Laws of NAB provide that the entire membership shall vote upon the site of the ensuing year's convention, therefore,

Be It Resolved, that the 6th District, National Association of Broadcasters, does hereby endorse and recommend New Orleans as the site of the 1943 convention of the National Association of Broadcasters, and further pledges its active support of New Orleans' invitation at the Cleveland convention in May of this year.

Those attending: E. A. Alburty, Manager, WHBQ; H. V. Anderson, Exec. Vice-Pres., WJBO; C. E. Arney, Jr., Asst. to President, NAB; Claude Barrere, Representative, NBC; George Blumenstock, Manager, WSKB; Leonard D. Callahan, Gen. Counsel, SESAC; Mrs. Frank P. Cashman, Owner, WIBC; Rev. F. A. Cavey, Faculty Director, WWL; I. T. Cohen, District Counsel, ASCAP; Herbert Denny, Representative, STANDARD RADIO; Jack M. Draughan, President, WSIX; P. K. Ewing, Vice-Pres. and Gen. Mgr., WDSU; P. K. Ewing, Jr., General Mgr., WMIS; F. C. Ewing, General Manager, WGCM; Wm. Gaudet, International News Service; Jimmy Gordon, Vice-Pres. and Gen. Mgr., WNOE; Wiley P. Harris, Director, WJDX; Carl Haverlin, Vice-Pres., BMI; Douglas Henry, Attorney, WSM; "Cy" Langlois, Secy.-Treas., Lang-Worth; J. C. Liner, General Manager, KMLB; J. C. Liner, Jr., President, KMLB; Ted Maloy, Bureau Manager, United Press; John C. McCormack, Gen. Mg. KWKH-KTBS; Robert L. Murray, Pub. Relation Dir., ASCAP; A. H. Noble, Sales Department, WLAC; Jack Parrish, Owner and Manager, KOTN; Harold Wheelahan, Manager, WSMB; Earl W. Winger, Vice-President, WDOD; Major F. R. Worthington, USMC, Marine Corps; C. J. Wright, President, WFOR; Robert L. Sanders, Pres.-Chief Engineer, WSKB; Stanley Shepard, District Mgr.,; H. W. Slavick, General Manager, WMC; S. Stephenson Smith, Educational Counselor, ASCAP; Hugh M. Smith, Manager, WAML; F. C. Sowell, Jr., Manager, WLAC; Harry Stone, General Manager, WSM; W. H. Summerville, General Manager, WWL; Jess Swicegood, General Manager, WKPT; S. C. Vinsonhaler, KLRA; Roy Wooten, Program Manager, WREC; G. E. Zimmerman, Vice-Pres. and Genl. Mgr., KARK; James Hanrahan, WMPS.

DISTRICT MEETING SCHEDULE

District 16, Monday, February 23, Biltmore Hotel, Los Angeles, California.

District 14, Wednesday, February 25, Albany Hotel, Denver, Colorado.

District 12, Friday, February 27, Lassan Hotel, Wichita, Kansas.

District 10, Monday, March 2, Paxton Hotel, Omaha, Nebraska.

District 8, Wednesday, March 4, Park Club, Kalamazoo, Michigan.

District 4, Saturday, March 7, Hotel Roanoke, Roanoke, Virginia.

TWENTIETH ANNUAL NAB CONVENTION

Pursuant to the vote of the membership at the St. Louis convention, the Board has definitely set the Twentieth Annual NAB Convention at Cleveland, Ohio, on May 11, 12, 13 and 14.

All preliminary arrangements have been made and the Hotel Statler has been selected as the convention headquarters hotel. However, the other hotels of Cleveland, including the Cleveland, Carter and Hollenden, have pledged their fullest cooperation in caring for those who will attend the convention.

The Cleveland Convention and Visitors Bureau has cooperated actively in the preliminary planning and we are assured of their continuing help. J. Harold Ryan, District Director of the Seventh District, which embraces Ohio, has named the local committees which will serve in assisting in the planning and conduct of the convention. Mr. Ryan, himself, heads the general committee which is made up as follows:

J. Harold Ryan, WSPD, Toledo, Chairman
John Patt, WGAR, Cleveland
Vernon H. Pribble, WTAM, Cleveland
Robert T. Mason, WMRN, Marion
Stanton P. Kettler, WHIZ, Zanesville
S. Bernard Berk, WAKR, Akron
Felix Hinkle, WHBC, Canton

Requests for hotel reservations may be sent directly to any Cleveland hotel which will in turn refer them to the NAB Housing Committee for attention and assignment. Priority in the matter of room assignments is given to NAB members for a period ending 30 days before the convention. Get your request for reservations in early. Everything points to a well attended meeting.

NEW OFF COMMITTEES

The Office of Facts and Figures has appointed two new committees to work with its Radio Division. The first, made up of production and idea men from networks, agencies and the OFF, includes:

A. K. Spencer, J. Walter Thompson Company; Heagen Bayles, Ruthrauff & Ryan, Inc.; John G. Hymes, Lord & Thomas; John A. Carter, Pedlar & Ryan; Arthur Pryor, Batten, Barton, Durstine & Osborn; Frederick W. Wile, Jr., Young & Rubicam; R. J. Scott, Schwimmer & Scott; Kirby Hawkes, Benton & Bowles; Charles Vanda, CBS; Madeline Ensign, MBS; C. L. Menser, NBC; Charles Barry, BNC; William Lewis, OFF; Frank Stanton, OFF; Philip Cohen, OFF, and Douglas Meservey, OFF.

The second committee, to represent station, includes:

Neville Miller, NAB president; John Shepard, 3rd, Boston; George B. Storer, Detroit; James D. Shouse, Cincinnati; John E. Fetzer, Kalamazoo; and Eugene C. Pulliam, Indianapolis.

"MAN ON THE STREET"

J. H. Ryan, Assistant Director of Censorship, said Tuesday that his office recently had approved for broadcast a variation of the conventional "Man-In-The-Street" program, upon which the Broadcasting Code frowns, at the instance of a station manager who revised the format of his show so as to apply safeguards deemed essential for protection against its possible use for subversive purposes.

Mr. Ryan called attention to the fact that the adequacy of the safeguards adopted in this instance was dependent upon the use of more personnel and equipment than ordinarily are available to smaller stations. For this reason, he urged that other station managements consult the Office of Censorship about their specific problems before instituting substitute programs, which, in their own opinion, might provide the necessary safeguards.

"Virtually every program of this general type varies in some degree from the others," Mr. Ryan said. "For this reason, no blanket approval of substitutes can be given in advance. Broadcasters who feel that they could make use of such programs and still fulfill their obligations of self-censorship should submit their specific program structures to the Office of Censorship for review and interpretation."

TIRES FOR BROADCASTING

Under the new Tire Rationing Regulations issued February 19, recapping and retreading of tires for trucks used by radio stations and for passenger cars used by executives, engineers, technicians and workers in the communications industry may be available, under the provisions of the new Regulations, on application to Local Rationing Boards after March 2. Broadcasting comes under "List B" of the Eligibility Classification, reading as follows:

"LIST B: The following vehicles shall be eligible for tires or tubes *to the extent, and only to the extent* provided by Chapter V of the Tire Rationing Regulations: (a) A passenger car used principally to provide one or more of the following transportation services: (3) Transportation of executives, engineers, technicians or workers to and from, or within, such of the following as are essential to the war effort: power generation or transmission facilities, transportation or COMMUNICATION FACILITIES, or agricultural, extractive, industrial, military or naval establishments; (7)(b) Trucks used for any important purpose not included in List A."

In order to obtain the necessary certificate from the Local Rationing Board, applicant must establish certain facts as to the use of and use for the tires which are set forth in Chapter V of the Regulations, which will be on file at the Local Board.

WOW SUES ASCAP

Woodmen of the World Life Insurance Society, Inc., operator of Station WOW, Omaha, on February 11 entered suit against ASCAP for $298,319.94 triple damages under the Nebraska music monopoly law. The suit was filed in the District Court of Douglas County, Nebraska.

LABOR BOARD ELECTIONS

The following letter relative to Labor Board election campaigns may prove useful:

Miss Anne Paulsen, Secretary
Civil Liberties Union of Massachusetts
Room 448, 73 Tremont Street
Boston, Massachusetts

Dear Miss Paulsen:

Please forgive my delay in answering your letter of January 24. I wanted to ascertain the facts in the matter before writing to you.

Station ——— informs me that the proposed broadcast you referred to was addressed to the employees of a single factory in an attempt to influence their voting in a Labor Board election. The station refused the broadcast, not on the ground that it contained controversial material, but on the ground that it was not of sufficient general interest to broadcast "in the public interest." As you no doubt know, a broadcasting station is required to operate "in the public interest, convenience and necessity" to obtain and keep its license from the Federal Communications Commission. It cannot do that and broadcast programs which are intended for an extremely small minority of its listening audience.

Aside from this reason (which seems to us to have been sufficient in itself), there is some question as to the legality of carrying "electioneering" speeches before Labor Board elections. We have been given to understand that a Labor Board election is not like an ordinary public election in that it is a part of an administrative process. The Wagner Act says that the National Labor Relations Board, in the event of a dispute about representation, may investigate the claims of the opposing unions and may, during the course of this investigation, hold an election to determine whether the union or unions involved represent a majority of the employees in the appropriate unit. According to an informed opinion on this matter, a broadcasting station which permitted the use of its facilities to influence the voting might be held to have interfered with the Labor Board's "investigation."

Waving aside this legal argument, we feel that the station's reason stated above was sufficient ground for refusing the proposed broadcast. We would like to have your opinion on this matter.

Sincerely yours,

Joseph L. Miller,
Director of Labor Relations.

February 13, 1942.

WAGE AND HOUR ACT

A jury in Montgomery, Ala., on February 13 decided against a group of employees of the Capital Broadcasting Company, Inc. (WCOV), who sued the Station for $9,893 under the Wage and Hour Act.

This was the first suit brought by radio station employees to come to the attention of the NAB Labor Relations Department. In several other cases the Wage and Hour Division has made charges against stations on complaint of employees. These few cases were settled informally or by consent decrees in federal courts.

Sales

Fred Thrower Named to Sales Managers' Executive Committee

Latest addition to the NAB Sales Managers' Executive Committee is Fred M. Thrower, general sales manager for the Blue Network, Inc., New York.

The appointment, recommended by the committee at its latest meeting, is in line with the action of the NAB Board of Directors when it set up the present committee structure, providing representation for all segments of the industry. In addition to a representative from each net, there is a committee member for large, medium, and small stations, and a chairman chosen at large. The committee now consists of Mr. Thrower, Chairman; Eugene Carr, WGAR; John Outler, WSB; Dietrich Dirks, KTRI; E. Y. Flanigan, WSPD; Linus Travers, WAAB; Arthur Hayes, WABC, and George Frey, NBC.

Beer Stories Needed

Case histories are urgently needed from stations on the successful use of radio advertising by brewers. Please send details of your beer campaigns, however large or small, to the Department of Broadcast Advertising. Please list sponsor, radio service used, objectives, other promotion and offers if any, and *results*. A testimonial or sample script, if available, helps.

Advertising Pamphlets Enclosed

With this issue of Reports are two pamphlets, "American Paradox" and "Dressing on Your Salad," available in any quantity through William E. Rudge's Sons, 225 Varick St., New York, N. Y., at a cost of $15 per thousand. An extra charge of $2 (regardless of quantity ordered) is made for imprinting the leaflets with your name and address.

These are the first in a series *to educate the consumer regarding the social and economic values of advertising,* and the plan has the endorsement of numerous advertisers, agencies, trade associations, etc. Stations wishing to do so may order direct, and may also request a free copy of future releases.

Per-Inquiry and Free Time

S. T. Seidman & Co., New York, is seeking *guaranteed returns* on its transcriptions for **Musical Notations, Inc.,** selling piano courses.

American Honey Institute, Madison, Wis., wants free time to promote its honey recipe booklet, basing its appeal on the present sugar shortage. These requests are going to the "Director, Homemaker's Hour."

United Advertising Companies, Chicago, previously listed here, is blanketing the industry with a form letter and a three-page list of clients seeking per-inquiry deals if possible, but mentions one that "prefers to buy time outright." Reactions received by the NAB from stations on this have been especially critical.

Gourfain-Cobb Agency, Chicago, seeks P-I deals for decal-labels on behalf of the **American Label Co.**

General Electric Co., Schenectady, N. Y., seeks free time for another "Excursions in Science" transcribed series.

Henry Flarsheim & Staff, Chicago, seeking P-I deals for the **Mason Shoe Mfg. Co.,** writes the NAB: ". . . I thoroughly understand your point of view. In this case, however, the fact that some stations have done business with us on a per-inquiry basis will prove a definite benefit to some of your member stations. . . . On the basis of the results which we have obtained so far, we believe that we will be in position very shortly to buy time at regular rates from stations in the area where our client is particularly interested in obtaining sales people." Unfortunately, similar promises from other per-inquiry advertisers have seldom materialized.

One NAB member writes that many free-time seekers "are trying to ride in on the national emergency, without paying for advertising. . . . We are led to the conclusion that some stations must be giving this free publicity or the practice would have been discontinued. . . . These manufacturers will never pay for radio advertising if they can get any of it free. . . . "

Elliott & Nelson, New York, a publicity agency, seeks free time to promote a Splinter-Proof-Blackout-Pad on behalf of the **Palmer Bros. Co.,** Fitchville, Conn. Scripts are sent to the "Program Director."

British Food Parcels Service Co., New York, wants P-I deals for food packages to be sent to Britain. Investigation is under way, but this appears to be a commercial enterprise.

The American Mercury magazine, New York, seeks free time for a series of "Between the Headlines" scripts, although they will permit local sponsorship provided credit is given to the *Mercury*. Comment received by the NAB on this from a well-known national rep firm is "Free publicity in newspapers has cost and continues to cost publishers the country over untold millions of dollars. Don't let radio stations make the same mistake."

South Suburban Press, Inc., Blue Island, Ill., wants P-I deals for a "Soldier's Permanent Service Record."

Amy Vanderbilt, New York publicity agency, seeks free time for the **Jackson & Perkins Co.**, Newark, and its nursery products.

Since many of these requests go to your program director, women's director, etc., it is suggested that you hold a staff meeting and discuss your attitude on this subject with all concerned, or have all such material routed through your sales department, where disguised commercials can be detected and steps taken to have the business placed on the proper basis.

Advertising Coordinates for War Effort

The facilities of national advertising have been coordinated and placed at the disposal of the government to help in the total war effort, according to a statement released today by an organization comprised of representatives of major factors in the advertising industry. These sponsoring groups include: the American Association of Advertising Agencies, the Association of National Advertisers, the American Newspaper Publishers Association, the National (Magazine) Publishers Association, the National Association of Broadcasters, the Outdoor Advertising Association of America, and many other affiliated groups.

This organization, named The Advertising Council, will undertake to help the government utilize, for purposes of inspiring and instructing the public concerning various phases of the war effort, the talents, techniques and channels of advertising, which in normal times have proved they can help shape the thinking and action of the public.

The Council has been in process of formation since last November, under the direction of a special committee presided over by Chester J. La Roche, Chairman of the Board of Young & Rubicam, Inc., and Chairman of the Council. Frederic Gamble, Managing Director of the American Association of Advertising Agencies, is assistant to the Chairman, and Paul B. West, president of the Association of National Advertisers, is Secretary.

In the Council are representatives of advertising agencies, advertisers, retail advertising, industrial advertising, and media (newspapers, magazines, radio and outdoor advertising).

Cooperating in this effort to unleash all of advertising's power for the duration are 13 associations affiliated with the advertising industry, including typographers, independent broadcast station owners, advertising clubs, photo engravers, direct mail specialists, lithographers, trade papers, newspaper editors, and farm paper proprietors.

Dr. Miller McClintock, who has been closely associated with the advertising industry for several years and is well known as an administrator, will be Managing Director.

The Council has been set up purely as coordinating group, and will not itself do any creative work. Independent committees, composed of the nation's leading advertising men in creative, production and media fields, will work closely with the Council to help the various departments of the government make the most effective possible use of space or time made available to the government by various media and advertisers.

The Council already has formed a Radio Committee, to work with Radio Coordinator W. B. Lewis of the OFF; and a creative committee consisting very largely of the same group of advertising men who developed the outstandingly successful advertising used in last year's United Service Organization campaign.

Members of the Council have had several meetings in Washington with government officials, the most recent having been held February 5 with Donald Nelson, War Production Board head. On the same day, meetings were held also with the Office of Facts and Figures.

Offices of the Council will be maintained in Washington to be near the center of the war effort, as well as in New York.

The basic idea from which the Advertising Council developed was generated at a meeting at Hot Springs, Virginia, last November, jointly sponsored by the Association of National Advertisers and the American Association of Advertising Agencies. Here were assembled representatives of the entire advertising industry, and at this important joint industry meeting it was made evident that the industry should organize to represent, and thus draw together all of the facilities of advertising into a single, coordinated, representative group.

A list of present members of the Council, together with the affiliated organizations follows:

The Advertising Council

Chairman, Chester J. La Roche, Chairman of the Board, Young & Rubicam, Inc.; Assistant to Chairman, Frederic R. Gamble, Managing Director, American Association of Advertising Agencies, Secretary, Paul B. West, President, Association of National Advertisers, Inc.; Managing Director, Dr. Miller McClintock.

Representing Radio

(Representatives sanctioned by National Association of Broadcasters which is composed of 522 members throughout the United States.)

Paul W. Kesten (network representative), Vice-President and Director, Columbia Broadcasting System, Inc.

John Elmer, Baltimore, Md. (station representative), owner of WCBM, for 14 years an independent station; member of Board of Directors and Executive Committee of the National Association of Broadcasters.

SET MANUFACTURE TO END

The radio manufacturing industry, whose civilian output already has been cut to 40 per cent below last year's total, was told February 12 it is next in line for conversion to the production of war material.

Speaking before a meeting of representatives of fifty-five set manufacturers, R. R. Guthrie, assistant chief, Bureau of Industry Branches, said the radio makers will be converted "as rapidly as is technically possible."

While no deadline was set, it is expected that the major part of the job will be done within three months. A program for conversion will be drawn after conferences between representatives of the industry and government.

Immediate cancellation of recent substantial increases in wholesale and retail prices of radio receiving sets and radio phonographs was requested February 19 by Price Administrator Leon Henderson in a sharply-worded telegram directed to all wholesale and retail outlets.

The price advances, which followed official indication by the War Production Board that most civilian radio production soon would be discontinued, were characterized in Mr. Henderson's wire as "inflationary and unfair because maximum manufacturers' prices were set by this office on February 9."

"I am requesting," the Administrator added, "the immediate withdrawal of any retail or wholesale increases on your radio receivers and phonographs which have been made since February 10 and the immediate re-establishment of retail and wholesale prices and discounts in effect on February 10, 1942."

Copies of the telegram were sent to all radio and phonograph manufacturers and most of the wholesale and retail trade associations for dissemination to wholesalers and retailers. Those receiving the telegram were asked to air-mail to OPA copies of the communications they were forwarding to their customers and members.

FOUR WBIG PROGRAMS

Four daily periods at WBIG, Greensboro, N. C., are devoted to manpower recruiting and defense financing. The opening and close is changed for each broadcast. Interspersed between musical selections are spotted selected announcements. This is the schedule, daily and Sunday: 7-7:15 a. m.; 11:15-11:30 a. m.; 6:10-6:15 p. m.; and 11:30-11:45 p. m.

WOW'S REVUE SELLS BONDS

The Woodmen of the World station, WOW, Omaha, is engaged in a program to induce at least 25,000 persons in ten mid-western cities to start the purchase of an additional defense bond.

The sales medium is the "Red, White and Blue Patriotic Revue". This is an inspirational, musical extravaganza, two hours in length, produced and directed by WOW's Production Manager Lyle DeMoss. Admission to each performance is free. However, each person who attends must purchase a minimum of fifty cents worth of defense savings stamps in a new book. And the purchase must be made on the day of each local performance. All 10 performances, within a radius of 150 miles of Omaha, will be before 2,000 or more people.

At Columbus, February 15, the Revue sold $17,000 worth of bonds and stamps in two performances, according to John J. Gillin, Jr., WOW, manager. First two Revues started 5,000 persons in the purchase of an extra bond. For complete details of this promotion write: Bill Wiseman, promotion manager, WOW.

TELEVISION AUCTION

WCBW, Columbia's New York City Television station, is one of the stations which makes a national defense report each month. Manager of television operations, Leonard H. Hole, has reported what is believed to have been the first television auction ever to be conducted wherein the public, at their homes, watched the auction and saw their telephone bids accepted at the studio.

Six hundred fourteen dollars was raised through the auction and turned over to the National Foundation for Infantile Paralysis. President Roosevelt's personally signed calendar sheets, made available by Associate Justice James F. Byrnes, were the items auctioned.

PROMOTES "THIS IS WAR"

John Ballard, general manager, KGNC, Amarillo, Texas, "took his pen in hand" to produce a two column by 12 inch advertisement in the Amarillo Daily News of February 14 to call attention to "This is War".

WARNS AGAINST CODED SPOTS

Lt. Comdr. M. R. Robbins, 6th Naval District, has addressed a letter to all stations in Georgia and North and South Carolina warning them to be on the watch for codes concealed in commercial announcements. Said Commander Robbins:

"It has come to our attention that a possible way in which agents could make use of commercial radio stations for transmitting information to the enemy is through cleverly coded 'spot' commercials.

"In the interest of national security, it is requested that you study these 'spots' announcements with this idea in mind. Shrewd use of commercial radio broadcasting facilities can easily permit the transmission of highly confidential news and information to enemy listeners at sea, who know in advance the time of broadcast and the reference code to be used.

"It is desirable that copy be submitted several days in advance of the date on which it is to be used so that you can check this for possible subversive activities. In the event that your records show such possible use of these coded 'spot' commercials, this office would be interested in seeing a sample copy of a day's activities."

PEABODY AWARDS DINNER

The George Foster Peabody Awards for outstanding radio programs in 1941 will be made April 10 at a dinner in New York City to be sponsored by the New York University of Georgia Alumni Society. Details will be announced later. The awards are a joint enterprise of the Henry W. Grady School of Journalism, University of Georgia, and the National Association of Broadcasters.

20,000 ACCEPTED FOR RADIO TRAINING

(Continued from page 93)

to extend training. It will now be necessary to present the need for supplemental funds for radio technician training at forthcoming hearings.

SOME APPROVED COURSES

Since December 31, 1941, ESMDT courses in elementary radio have been approved for institutions listed below. Not shown are institutions with previously approved elementary radio courses, liberal arts colleges with courses sponsored by ESMDT approved Engineering Schools, nor institutions which may have proposals being processed.

Alabama
University of Alabama

Arkansas
University of Arkansas

California
University of Southern California
Stanford University

Colorado
Colorado School of Mines
Colorado State College of A & M Arts
University of Denver

Connecticut
University of Connecticut

Florida
University of Florida

Georgia
Georgia School of Technology

Illinois
Northwestern University
University of Chicago

Indiana
Purdue University
Rose Polytechnic Institute

Iowa
Iowa State College of A & M Arts
State University of Iowa

Kansas
University of Kansas

Kentucky
University of Kentucky
University of Louisville

Maine
University of Maine
Bates College

Maryland
University of Maryland
Johns Hopkins University

Massachusetts
Boston College
Massachusetts State College

Michigan
University of Detroit
Wayne University

Nebraska
University of Nebraska

New Hampshire
- Dartmouth College

New York
- Clarkson College of Technology
- Cornell University
- Hofstra College
- Long Island University
- Syracuse University
- Union College

North Carolina
- North Carolina State College

North Dakota
- University of North Dakota

Ohio
- Fenn College
- University of Akron
- Ohio State University
- Ohio University
- University of Toledo
- University of Cincinnati
- University of Dayton

Oklahoma
- University of Oklahoma
- Langston University

Pennsylvania
- Villanova College
- Pennsylvania State College
- Drexel Institute of Technology
- Haverford College
- University of Pittsburgh

Rhode Island
- Brown University

South Carolina
- The Citadel
- Clemson Agricultural College
- University of South Carolina

Texas
- Agricultural & Mechanical College of Texas
- University of Texas

Virginia
- Virginia Polytechnic Institute
- Virginia State College for Negroes

Washington
- University of Washington

West Virginia
- West Virginia University

Wyoming
- University of Wyoming

Puerto Rico
- University of Puerto Rico

ARMY AND NAVY STRESS NEEDS

The need for radiomen is currently emphasized in the folio of spot announcements released by the Army for the week of February 16. Four out of six announcements called for radiomen. Two specified "men with amateur or commercial radio licenses." One stated "radio operator licenses." The fourth said: "Radio Operators! Here is a chance to use your radio experience in the service of your country. The Signal Corps wants men for radio communication jobs."

Two of the Navy's Febuary 16 announcements specified that "If you are a high school graduate with an amateur A or B radio license," the Navy needs you. Same announcements also said that men actively engaged in radio repair work were eligible.

These announcements are all in line with the NAB-ESMDT program. It teaches only the fundamentals of radio. On donning the uniform students may thus receive in-service training for specialized communications tasks without delay.

By specifying that students in the radio technician training courses meet the prerequisite of high school graduation with two years of mathematics and one year of physics, the educational process is speeded. Progress is much faster when students have nearly identical educational background.

2 BILLION DOLLAR EQUIPMENT PROGRAM

Indicative of the extent to which this is a war of communications is the action of the War Production Board, on February 13. On that date, WPB ordered the entire radio manufacturing industry to convert its facilities to war production in order to concentate all radio manufacturing facilities in the $2,000,000,000 radio apparatus manufacturing program. This program was mentioned January 25 by J. S. Knowlson, acting director of priorities, in announcing the 40 per cent cut in radio receiver production.

The fact that all set production was ordered discontinued within three weeks after a 40 per cent cut indicates the urgent need for vast quantities of radio equipment of all kinds in the all-out war effort.

As has been repeatedly pointed out, there is a need for all kinds of radiomen. They are needed at the professional level. They are needed in almost unlimited quantities at the sub-professional level.

Early last year NAB felt that a shortage in radio manpower was impending. In July the National Defense Committee approved the promotion of technician training courses. Meanwhile the Army, Navy and other agencies, in spot announcements, continued to seek radiomen. Most frequently it was specified that applicants should be holders of amateur or commercial licenses. This means men having basic radio knowledge.

"Fundamentals of Radio," the course outline distributed by NAB, will, generally speaking, impart such knowledge minus radio law and code. Technical knowledge is the thing.

Code was omitted at the suggestion of educators within the armed forces since it is a longer and more pretentious job to impart the fundamentals of radio than it is to train code operators.

A substantial quantity of the radio equipment which the $2,000,000,000 will provide has never before been in production. As in the early days of home radio sets, it seems reasonable to anticipate that at least minor "bugs" may be found in some of the new products. They must be removed or corrected by technicians —men, possessing, first of all, a knowledge of the fundamentals of radio.

In the face of this triple threat job of training green men, of manufacturing new apparatus and then of maintaining it, those in the technical end of the broadcasting industry are offered a unique opportunity for service.

TEACHERS A BOTTLENECK

Since broadcast stations are a vital part of the war effort, engineers who instruct student technicians perform double defense duty. Not only do they fill important posts at stations, but by giving basic instruction, they free other civilian and military personnel for imparting specialized instruction once fundamentals are acquired. Collectively, station technicians probably comprise the largest pool of available radio teaching talent in the Nation. With the armed forces "drafting" more and more men from engineering faculties, that source of assistance is definitely decreasing in size. But by continuing the teaching job in their own communities, under the supervision of the educators, the broadcast engineers can continue to give double service.

GIVE YOUR BEST

Engineers who participate in the program as teachers need to give everything they have to the job. They can urge technicians without licenses in their employ to take the courses which they teach. Four or 5 weeks of extra study afterwards by themselves should qualify these men for at least a second class license. Some of the men may make good teachers.

After satisfactorily completing both parts of the "Fundamentals of Radio", men may not be called immediately to military service.

A little extra homework and they, too, can pass an FCC examination. The possession of an operator's license of any kind, though not necessary, starts men up the promotion ladder a little faster in or out of service. According to one of the February 16, 1942, Army spot announcements, "a recognized radio license will be accepted in lieu of a test."

There are so many men required that candidates for the Army or Navy with varying amounts of radio knowledge can all be used. Obviously, the more a man learns before getting into uniform the more training time he will save himself and the military.

MOST AMATEURS GONE

More than 10,000 amateurs are already in service according to George Bailey, president, American Radio Relay League. Very few additional technicians will be available from the amateur ranks. The supply of fulltime radiotelephone operators has all but dried up. An estimated one thousand of the 5,500 broadcast technicians are now serving their country.

UNSHACKLED IMAGINATION

The big time use of radio is new to this war. The mass training of radio technicians is likewise new. Yet radio can contribute so much to *Winning the War* that our imaginations must be unshackled. Otherwise, months hence, the armed forces will be needing tens of thousands more technicians than have been trained. We must not be guilty of underestimating the need for radiomen in view of known and projected plans.

In estimating radio personnel requirements it is vital to the nation's safety to take full cognizance of the time required to train green men. Most experienced men are already gone and there is no large supply left for the expansion that is just beginning.

SALUTE TO MR. SUMNERS

Chairman Sumners (Texas) of the Judiciary Committee had it about right when he solemnly told the House, a few days ago, to arouse the Nation to its danger.

"America," Mr. Sumners told the House, "doesn't yet realize that it is in the greatest war of all time, facing the greatest military machine in history."

We also agree with you, Mr. Sumners, that "the American people have got the stuff in them to do the job."

And radio employed to the limit of its possibilities will make the job easier.

JOHNS HOPKINS UNIVERSITY

L. W. Milbourne, general manager, WCAO, Baltimore, and Maryland industry representative, writes that Dr. W. B. Kouwenhoven plans three night radio technician training courses and one daytime course.

HARRISBURG, VA.

"We have gone ahead together with the aid of our State Coordinator, Dean Earl B. Norris, Virginia Polytechnic Institute, and established a beginning and advanced course at Shenandoah College in Dayton. These courses have already been approved in preliminary form by ESMDT and we are very happy to say that the courses will start next week, providing no snags appear".—W. L. Braun, chief engineer, WSVA.

ROSE POLYTECHNIC INSTITUTE

President D. B. Prentice, says: "We have 71 in the beginning course in fundamentals of radio at Rose Polytechnic; 121 in the more advanced course."

HARTFORD, CONN.

J. H. Lampe, dean of engineering, the University of Connecticut, says: "We have started training for some 325 people in nine sections in Hartford and I am in the midst of organizing classes in New London, New Haven, Bridgeport, Waterbury."

MAINE

George F. Kelley, Jr., WCSH, Portland, and Industry Representative, called a meeting of broadcast stations for Monday, February 16, in connection with radio technician training.

BROWN UNIVERSITY

A note from Roy Harlow, vice president, Yankee Network, said that the first class started at Brown University February 16 with an enrollment of 65 out of 100 applications.

OHIO NORTHERN UNIVERSITY

R. T. Mason, president, WMRN, Marion, Ohio, advises that through the activities of WMRN 28 students enrolled in a radio class being held in the Bucyrus High School. Classes are under the direction of Ohio Northern University. This completes the organization of the second city in the station's listening area.

VALLEY CITY COURSE STARTED

Robert I. Ingstad, manager, KOVC, Valley City, N. D., has finished recruiting students for the radio technician training course at State Teachers College, in Valley City, which the station chief engineer is assisting in teaching. The station is also assisting in the recruiting of students for the course at the University of North Dakota, Grand Forks.

CHICAGO COURSES

Radio technician training program is scheduled to get underway in Chicago, Monday, February 23, according to a note from W. E. Hutchinson, WAAF, Illinois Industry Representative. Classes are given in cooperation with University of Chicago, Northwestern University and Illinois Institute of Technology.

PUSH TRAINING IN UTAH

According to Earl J. Glade, vice president of KSL, and industry representative for the radio technician training program in Utah, courses throughout the state are now in process of organization. On February 11 Dean Taylor of the University of Utah left on a trip to the southern part of the state to complete the organization. "Within a week or two we should have these courses progressing splendidly", Mr. Glade concluded.

DETROIT UNDER WAY

The first radio technician training class within the Detroit area was scheduled to begin on Monday, February 16, according to a note from William A. Alfs, WJR, industry representative for Michigan. Classes will be held at the Detroit Institute of Technology, Lawrence Institute of Technology, University of Detroit and Wayne University.

DEVILS LAKE JUNIOR COLLEGE

Bert Wick, KDLR, Devils Lake, N. D., reports that E. J. O'Brien, of the Electrical Engineering Department of the University of North Dakota, completed arrangements on February 12 for a radio technician training course at Devils Lake Junior College.

WATERLOO AND CEDAR RAPIDS

WMT Chief Engineer Charles Quentin reports that WMT's studios in Waterloo and Cedar Rapids, Iowa, are cooperating fully in the establishing of schools for radio technicians in both cities. Plans are under the direction of Professor E. L. Waterman of the State University of Iowa, and classes were scheduled to begin February 16. In Cedar Rapids the night school courses will be conducted at Coe College and in Waterloo at both the East and West High Schools.

KILGORE COLLEGE

Approximately on February 2 a class of 22 fulltime radio students began studying the mysteries of radio at Kilgore College, Kilgore, Texas, under the direct supervision of Norman F. Rode, professor of Electrical Engineering, Texas Agricultural and Mechanical College, and under the general supervision of J. T. L. McNew, ESMDT Institutional Representative, Texas A. & M. Samuel Parker, of Kilgore College, advised H. A. Degner, manager, KOCA, Kilgore, Texas, on February 13, that he would start another class of 50 on Monday, February 16; and that this would be a night class.

COURSE OUTLINES TO NEBRASKA

Twenty copies of the suggested radio technician training course outline were sent last week to W. L. DeBaufre, director of ESMDT courses at the University of Nebraska, Department of Engineering Mechanics, Lincoln. Mr. DeBaufre said that the University had been conducting courses for radio technicians at the University of Omaha in Omaha, and that it had requested authorization for a similar course at the University of Nebraska, Lincoln.

UNIVERSITY OF MARYLAND

NAB headquarters has received a catalogue of the Engineering, Science and Management Defense Training courses offered by the College of Engineering, University of Maryland, at Baltimore, College Park, Hagerstown, Md., and Washington, D. C. Dean S. S. Steinberg is Maryland and District of Columbia Coordinator for the radio technician training program. The several radio courses that are offered by the University of Maryland are listed in this catalogue.

COLUMBIA, MO.

KFRU, Columbia, is to be the center for training for radio technicians from towns, villages and farms located within an area of 50 miles of Columbia, according to a note from Charles Thomas, manager. The courses will be conducted in cooperation with the University of Missouri, which is located in Columbia.

RECRUITS A-1 APPLICANTS

Durward J. Tucker, chief radio engineer, City of Dallas radio station, WRR, reports that a large percentage of the applications received by his station are men of 1-A draft classification. Here is the announcement which delivers a heavy percentage of this type of men:

"The Army and Navy and Defense Agencies are in immediate need of radio technicians. Here is your chance to obtain radio training FREE, and prepare yourself for an important position in case you are called into the *Army*, or wish to volunteer for *Navy* duty. Listen carefully to these qualifications:

> "1. You must be 17 years of age or over, a high school graduate with two years of math and one year of physics.
>
> "2. Men qualified for service in Army or Navy have first chance at this training.
>
> "3. You must be ambitious and willing to attend a three hour class after working hours three days per week.

"If the above qualifications fit you, address a postal card or letter to FREE RADIO TRAINING, RADIO STATION WRR, DALLAS, TEXAS, right now. An application blank will be mailed to you as soon as possible."

STATE LEGISLATION

Mississippi:

H. 523 (Woodliff) COMMUNICATIONS-INTERFERENCE —To prevent intentional injury to or interference with property used in connection with war preparation or communications. Referred to Committee on Judiciary B.

FEDERAL COMMUNICATIONS COMMISSION

FOREIGN LANGUAGE BROADCASTS

An FCC wartime survey reveals 200 standard radio stations in the United States broadcasting in 29 foreign languages, for a total of 6,776 hours, during the first 30 days after Japan began hostilities on December 7th last.

A pre-war survey, conducted by the Commission in 1940, showed 199 stations broadcasting in 31 foreign languages for a period of about 1330 hours a week. Previously an additional 57 stations had broadcast in foreign tongues. The current survey indicates a decrease of 67 hours as compared with foreign language broadcast time for the 30 days preceding the outbreak of war.

Italian, Polish, and Spanish still predominate the domestic foreign language broadcasts directed at local foreign-born populations. A comparison of foreign language broadcasts for the 30-day period before and following the Pearl Harbor attack follows:

Language	*Nov. 7 to Dec. 6, 1941*	*Dec. 7, 1941 to Jan. 5, 1942*
Italian	1644	1667
Polish	1518	1560
Spanish	1413	1341
Jewish	550	547
German	380	293
Portuguese	205	211
Czech	188	198
Lithuanian	143	139
Hungarian	141	143
French	104	89
Greek	86	106
Ukrainian	81	80
Finnish	79	76
Swedish	78	83
Slovak	59	64
Chinese	34	31
Croatian	30	31
Norwegian	27	27
Russian	21	19
Rumanian	15	15
Danish	10	9
Serbian	9	18
Arabic	6	5
Japanese	5	0
Dutch	4	4
Syrian	4	4
Albanian	3	7
Armenian	3	5
Slovene	3	3
Mesquakie (Indian)	0	1
Totals	6,843	6,776

The number of stations carrying broadcasts in each foreign language for the post-war period is here shown:

Language	*Number of Stations*
Polish	84
Italian	66
Spanish	58
German	30
Greek	25
Jewish	22
Hungarian	20
Swedish	18
Portuguese	16
Lithuanian	16
French	15
Czech	14
Finnish	14
Ukrainian	13
Slovak	11
Norwegian	9
Russian	7
Rumanian	6
Croatian	5
Serbian	5
Danish	4
Albanian	2
Arabic	2
Armenian	2
Chinese (Cantonese)	2
Dutch	2
Mesquakie (Indian)	1
Slovene	1
Syrian	1

No domestic station broadcasts in foreign tongue exclusively. Only three stations broadcast 300 hours or more of foreign languages in the 30 days mentioned. Two stations broadcast 200 to 299 hours, 3 from 160 to 199 hours, 3 from 120 to 159 hours, 11 from 80 to 119 hours, 22 from 40 to 79 hours, 25 from 20 to 39 hours, 36 from 10 to 19 hours, and 95 for less than 10 hours.

Few high-power stations broadcast in foreign languages. Only one 50 kilowatt station does, and no 25 kilowatt station. Lesser power stations engaging in foreign language broadcasts include three 10 kilowatt stations, 38 of 5 kilowatts, 48 of 1 kilowatt, 8 of 500 watts, 94 of 250 watts, and 8 of 100 watts.

As in the case of foreign-language newspapers, most of these stations are in areas with considerable foreign-born populations. Since the outbreak of war, and under increased surveillance, the foreign-language stations have themselves jointly and individually acted to guard against subversive broadcasts. Many programs are being devoted to the United States war effort, and various Government agencies are utilizing this media to inform and enlist the support of our foreign-born in the battle for democracy. In particular, foreign-language stations have broadcast information about the alien registration and other matters pertaining to aliens within our borders.

CHARLES R. DENNY, JR., APPOINTED ASSISTANT GENERAL COUNSEL TO SUCCEED THOMAS E. HARRIS

The FCC Wednesday announced the appointment of Charles R. Denny, Jr., as Assistant General Counsel to succeed Thomas E. Harris, who has resigned to take a position as Assistant General Counsel of the Office of Price Administration. Mr. Denny, who is now in the Department of Justice, will join the Commission's staff within a week.

Mr. Denny was born in Baltimore, Md., on April 11, 1912. He has been for many years a resident of Washington, D. C., and attended the Washington public schools. He was graduated from Amherst College in 1933 and from the Harvard Law School in 1936.

From 1936 to 1938, Mr. Denny was employed by the Washington law firm of Covington, Burling, Rublee, Acheson & Shorb. Since that time Mr. Denny has been employed by the Lands Division of the Department of Justice. He is at present the Chief of the Appellate Section, and has had extensive appellate court experience.

RADIO INTERSTATE COMMERCE

Judge Emmerich Freed of the United States District Court for the Northern District of Ohio, Eastern Division, in the case of United States of America v. Betteridge and Wolf, in an opinion dated February 6, 1942, stated that operation of *any* radio transmitter within the United States or certain of its territories or possessions must be licensed by the FCC and conducted by a licensed operator. The opinion points out:

> "It is needless to go into a lengthy dissertation on the inherent natural characteristics of radio transmission to arrive at the inescapable conclusion that all transmission of energy, communications or signals by radio, either use an interstate or foreign channel of transmission or so affect interstate or foreign channels as to require the regulation of their use by licensing or otherwise if the announced purpose of this section; that is, the retention of control in the United States of all channels of interstate and foreign radio communication, is to be carried out effectively. The daily use of the radio, even to a lay mind unacquainted with the science of radio transmission or its engineering intricacies, has clearly demonstrated this conclusion.
>
> "A careful analysis of the prohibited operation of a radio transmitting apparatus without a license discloses that the section is so all-inclusive that it would require great imaginative faculty to find an instance where the operation of a transmitting apparatus would not be embraced within the provisions of the Act. *In fact, I am bound to come to the conclusion that all the operations of a radio transmitting apparatus fall into one or the other or several subsections of the statute and that under the Act none can operate without a license.*"

This case involves the prosecution of two individuals who had operated an unlicensed transmitter at Thistledown Race Track, near Cleveland, Ohio, in August, 1941, in connection with a scheme to best the bookies by signalling "tips" while the races were being run. The defendants contended that the five-meter ultra-high frequency transmitter which they were using was incapable of sending signals beyond the boundaries of Ohio. Monitoring officers of the Commission offered no proof of actual interstate interception of the signals or interference with interstate communications, but evidence was submitted to the court to establish that these radio signals were capable of receipt at great distances from the point of origin, depending upon atmospheric and other conditions. In considering that point, the court said:

> "There is evidence to the effect that such transmissions could not be controlled by the sender except as to volume and would transmit energy, signals, and communications in radiated directions and that such transmissions would interfere with any other radio transmissions using the same frequency at the same time either from outside the State of Ohio, to points within the State of Ohio, or from inside the State of Ohio to points outside the state."

The court pointed out that the intent of the defendants to transmit only within the state was immaterial; that all that is necessary to commit the offenses described in Sections 301 and 318 of the Communications Act of 1934, as amended, is to operate a transmitter without proper licenses.

One defendant was sentenced to a term of imprisonment of six months and another to three months.

The Commission warns against violation of the Communications Act by the unauthorized operation of a radio transmitter, regardless of the limitations which may exist with regard to the range of ground wave transmission. This warning is directed particularly to potential operators of 2½ and 5 meter ultrahigh frequency transmitters who have sometimes felt themselves to be beyond the jurisdiction of the Commission.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 23. They are subject to change.

Tuesday, February 24

KFNF—KFNF, Incorporated, Shenandoah, Iowa.—Renewal of license, **920 kc.,** 500 watts night, 1 KW day, S-KUSD.

Thursday, February 26

Further Hearing

KWK—Thomas Patrick, Inc., St. Louis, Mo.—C. P., **680 kc.,** 25 KW night, 50 KW day, unlimited, DA-day and night.

Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), **920 kc.,** 1 KW night, 5 KW day, unlimited.

Friday, February 27

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—C. P., **580 kc.,** 1 KW, DA-night, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Edwin A. Kraft, Kodiak, Alaska.—Granted construction permit (B-P-3279) for new station to operate on frequency **1230 kc.**, 250 watts, unlimited time. Exact site to be determined subject to Commission's approval.

KGIW—E. L. Allen, Alamosa, Colo.—Granted construction permit to increase power from 100 watts to 250 watts day and night, and install a new transmitter (B5-P-3220).

KTNM—Lester Q. Krason & Otto A. Krutzner, d/b as Krutzner Broadcasting Co., Tucumcari, N. Mex.—Granted modification of license (B5-ML-1109) to change hours of operation from unlimited time to specified hours.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Granted license (B-L-751) to cover construction permit to increase power to 1 KW, said license to expire August 1, 1942; and renewal application (B5-R-97) dismissed and retired to closed files.

WQXR—Interstate Broadcasting Co., Inc., New York City.—Granted extension of special service authorization (B1-SSA-23) to operate 10 KW non-directional, unlimited time on **1560 kc.**, for a period of one year only.

WSVS—Board of Education, Buffalo, N. Y.—Granted authority to close the records of the Commission, deleting call letters WSVS and canceling existing license of station.

DESIGNATED FOR HEARING

Chambersburg Broadcasting Co., Chambersburg, Pa.—Designated for hearing application for construction permit (B2-P-3310) for new station to operate on **1340 kc.**, 250 watts, unlimited time.

William L. Klein, Oak Park, Ill.—Designated for hearing application (B4-P-3320) for construction permit for new station to operate on **1490 kc.**, 250 watts, unlimited time. Exact site and antenna system to be determined subject to Commission's approval.

Minor E. Bragg & Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.; Andrew L. Todd, Murfreesboro, Tenn.; Nashville Radio Corp., Nashville, Tenn.—Designated for consolidated hearing applications (B3-P-3426, B3-P-3396 and B3-P-3034) for construction permits for new stations to operate on frequency **1450 kc.**, 250 watts, unlimited time; exact site to be determined subject to Commission's approval.

ACTION ON DOCKET CASE

The Commission has proposed to deny the application by the Butler Broadcasting Corporation for a new standard broadcast station at Hamilton, Ohio, to operate on 1450 kilocycles with 250 watts power, unlimited time (B-144). As a result of hearing, the Commission concludes that public interest, convenience or necessity would not be served by such a grant.

MISCELLANEOUS

WLBC—Donald A. Burton, Muncie, Ind.—Granted license to cover construction permit which authorizes move of transmitter and installation of new antenna system (B4-L-1607); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1288).

KILO—Dalton LeMasurier, Grand Forks, N. D.—Granted license to cover construction permit which authorized construction of a new broadcast station (B4-L-1556); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1290).

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio—Granted license to cover construction permit as modified for changes in transmitting equipment, changes in antenna system, increase in power and move of transmitter (B2-L-1608); granted authority to determine operating power by direct measurement of antenna input (B2-Z-1343).

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Granted license to cover construction permit for move of transmitter (B5-L-1593).

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted authority to determine operating power by direct measurement of antenna input (main transmitter) (B3-Z-1341). Same, for auxiliary transmitter (B3-Z-1342).

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted authority to determine operating power by direct measurement of antenna input (B5-Z-1338).

WHIT—Coastal Broadcasting Co., New Bern, N. C.—Granted modification of construction permit (B3-P-3239, for new station) for change in type of transmitter, approval of studio and transmitter location at Trent Road, U. S. Highway 17 West of New Bern, N. C., and make changes in antenna system (B3-MP-1475).

WLBC—Donald A. Burton, Muncie, Ind.—Granted extension of special temporary authority to move studio from 125 South Walnut Street, Muncie, Ind., to 0.2 mile east of the junction of State Road 21 and State Roads 3 and 67, south of Muncie, Ind., and operate with studio at the new location for a period beginning February 11 and ending not later than March 12, 1942, pending grant of formal application for same.

KNEL—G. L. Burns, Brady, Texas—Granted special temporary authority to cease nighttime hours of operation and operate daytime only for a period not to exceed 30 days.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Denied request for special temporary authority to operate on **1230 kc.** with power of 250 watts, unlimited time, for a period not to exceed 30 days, pending action on formal application on same.

The Constitution Broadcasting Co., Atlanta, Ga.—Granted in part petition for 60-day postponement of hearing now set for March 16 on applications of the Constitution Broadcasting Co., Atlanta, and Bob Jones College, Inc., Cleveland, Tenn., for a new station to use frequency **550 kcs.**, and continued hearing to April 13, 1942.

Debs Memorial Radio Fund, Inc., New York City—Granted petition for 30-day postponement of hearing now set for February 17 on application of WBNX, Broadcasting Co. Inc., News Syndicate Co., Inc., FM Radio Broadcasting Co., Inc., Knickerbocker Broadcasting Co., Inc., Debs Memorial Radio Fund, Inc., Greater New York Broadcasting Corp., New York City, and Mercer Broadcasting Co., Ewing Twp., N. J., all applicants for new FM stations, and hearing continued to March 16, 1942.

Mercer Broadcasting Co., Ewing Twp., N. J.—Granted motion to amend application for new FM station so as to specify frequency **49,900 kc.**, and removed from the hearing docket.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Denied petition to continue for 30 or 60 days hearing now set for February 26, on application of KWK, St. Louis, Mo., Docket 5701. Oral request by counsel for WMAQ for continuance of 1 week also denied.

KTHS—Hot Springs Chamber of Commerce (Assignor) and Southland Radio Corp. (Assignee) Southland Radio Corp., El Dorado, Ark.—Granted petition for dismissal without prejudice of application for voluntary assignment of license of station KTHS, Docket 6233, and application for construction permit, Docket 6234.

WELL—Federated Publications, Inc., Battle Creek, Mich.—Granted, except as to 7 witnesses, petition for order to take depositions in re application for renewal of license; otherwise denied.

New Mexico Broadcasting Co., Albuquerque, N. M., Santa Fe, N. M.—Granted motion to accept amendment to KGGM's application to reduce night power to 1 KW, Docket 6142, but denied as to removal from hearing docket the applications of KVOA, Docket 6082, KGGM, Docket 6142, and KVSF, Docket 6143.

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Granted petition to accept amendment to application, Docket 6224, to change name of applicant to S. E. Adcock, d/b as Stuart Broadcasting Co., but denied petition for removal from hearing docket.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted petition for 30-day continuance of hearing now set for February 24, in re application in docket 6129, and continued same to March 24.

APPLICATIONS FILED AT FCC

550 Kilocycles

NEW—Bob Jones College, Inc., Cleveland, Tenn.—Construction permit for a new broadcast station to be operated on **550 kc.,** 1 KW, daytime. Amended: to install directional antenna for night use, changes in equipment, change power to 1 KW night, 5 KW day and hours from daytime to unlimited.

NEW—The Constitution Broadcasting Co., Atlanta, Ga.—Construction permit for a new broadcast station to be operated on **550 kc.,** 1 KW night, 5 KW day, unlimited time, using directional antenna for night use. Amended: re changes in proposed directional antenna.

570 Kilocycles

WMCA—Knickerbocker Broadcasting Co., Inc., New York, N. Y. —Voluntary assignment of license to WMCA, Inc. Amended: re assignment agreement.

610 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Construction permit for change in frequency from **610** to **660 kc.,** increase power from 1 to 10 KW and install new transmitter. Amended: re engineering data and information required by revised Form 303.

620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Construction permit to move transmitter from San Juan to municipality of Rio Piedras, P. R.

680 Kilocycles

NEW—Herman Radner, Dearborn, Mich.—Construction permit for a new broadcast station to be operated on **680 kc.,** 1 KW. daytime. Amended: to request 250 watts and change type of transmitter.

850 Kilocycles

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to install new transmitter, directional antenna for night, change frequency from **1240** to **850 kc.,** increase power from 250 watts to 1 KW night, 5 KW day, and move transmitter. Amended: re directional antenna.

KOA—National Broadcasting Co., Inc., Denver, Colo.—License to cover construction permit (B5-P-3250) for equipment changes.

910 Kilocycles

WRNL—Richmond Radio Corp., Richmond, Va.—License to use directional antenna night with auxiliary transmitter.

WRNL—Richmond Radio Corp., Richmond, Va.—Authority to determine operating power by direct method.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of construction permit (B3-P-3043) as modified for change in frequency, increase in power, installation of directional antenna and move of transmitter, requesting extension of completion date from 4-6-42 to 7-6-42.

960 Kilocycles

KROW—Educational Broadcasting Corp., Oakland, Calif.—Modification of construction permit (B5-P-2803) for increase in power, installation of new equipment, directional antenna for night use and move of transmitter, requesting extension of commencement and completion dates from 8-24-41 and 2-24-42 to 8-24-42 and 2-24-43, respectively.

1030 Kilocycles

WSAV—WSAV, Inc., Savannah, Ga.—Construction permit to change frequency from **1340** to **1370 kc.,** increase power from 250 watts to 1 KW, install new transmitter and install directional antenna for night use. Amended: to request facilities of WCOA, contingent on WCOA changing to **1030 kc.**

1050 Kilocycles

KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of construction permit (B-P-3089) for increase in power, changes in equipment and antenna, requesting change in frequency from **1460** to **1050 kc.,** changes in equipment and extension of commencement and completion dates from 9-9-41 and 3-9-42 to 20 days after grant and 30 days thereafter, respectively. Amended: re additional engineering data.

1220 Kilocycles

WADC—Allen T. Simmons, Tallmadge, Ohio.—Construction permit to install new transmitter, new directional antenna for day and night use, increase power from 5 to 50 KW, change frequency from **1350** to **1220 kc.,** facilities WHBC when vacated, and move transmitter.

1230 Kilocycles

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to install new transmitter.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction permit to install new transmitter.

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Construction permit to install new transmitter.

1240 Kilocycles

NEW—John R. Crowder, tr. as Dimple Broadcasting Co., Columbia, Tenn.—Construction permit for a new broadcast station to be operated on **1240 kc.,** 250 watts, unlimited time. (Facilities of WSIX when vacated.) Amended: to request **1340 kc.,** and omit request for facilities WSIX.

1310 Kilocycles

WIBA—Badger Broadcasting Co., Madison, Wis.—License to cover construction permit (B4-P-2689) as modified, for new transmitter, increase in power, changes in directional antenna for night use, and move transmitter and studio.

WIBA—Badger Broadcasting Co., Madison, Wis.—Authority to determine operating power by direct method.

1330 Kilocycles

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Modification of construction permit (B3-P-1849) as modified for installation of directional antenna for night use, increase in power, requesting extension of completion date from 2-11-42 to 5-11-42.

1340 Kilocycles

NEW—Sacandaga Broadcasting Corp., Gloversville, N. Y.—Construction permit for a new broadcast station to be operated on **1340 kc.,** 250 watts, unlimited time. Amended: re engineering data.

1420 Kilocycles

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Special service authorization to operate on **1230 kc.,** unlimited hours.

WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construction permit to install new transmitter and increase power from 1 KW to 5 KW, using directional antenna.

1450 Kilocycles

WILM—Delaware Broadcasting Co., Wilmington, Dela.—Construction permit to install new vertical antenna system. Amended: to request move of transmitter approximately 30 feet from present location and to use south tower of WDEL's directional array.

1520 Kilocycles

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to cover construction permit (B1-P-3393) to move old main transmitter to site of new transmitter and use as auxiliary transmitter with power of 5 KW.

KXRO—KXRO, Inc., Aberdeen, Wash.—Construction permit to change frequency from **1340** to **1520 kc.,** increase power from 250 watts to 1 KW, install new transmitter and changes in vertical radiator. Amended: re engineering data.

FM APPLICATIONS

K45LA—Don Lee Broadcasting System, Los Angeles, Calif.—Modification of construction permit (B5-PH-26) for a new high frequency broadcast station, requesting to change coverage from 7,000 to 7,585, population from 2,604,104 to 2,612,000, change in antenna and move studio and extend commencement and completion dates from 12-31-40 and 6-30-41 to 60 days after grant and 180 days thereafter, respectively. Amended: to change coverage from 7,585 to 8,262 square miles.

K31LA—Columbia Broadcasting System, Inc., Hollywood, Calif.—Modification of construction permit (B5-PH-94) for a new high frequency broadcast station, requesting approval directional antenna system for a coverage of 34,500 square miles and approval of transmitter. Population: 3,420,002.

W57PH—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Modification of construction permit (B2-PH-65) for a new high frequency broadcast station, requesting approval of antenna system, equipment and transmitter site. Population: 4,088,000.

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-57) as modified for a new high frequency broadcast station, requesting extension of completion date from 3-14-42 to 9-14-42.

NEW—Houston Printing Corp., Houston, Texas—Construction permit for a new high frequency broadcast station to be operated on **46,500 kc.,** 10,500 square miles coverage. Population: 722,600.

MISCELLANEOUS APPLICATIONS

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PIB-27) as modified for increase in power, new transmitter, move transmitter and change in frequencies.

KEIV—Nichols and Warinner, Inc., Portable-Mobile—License for reinstatement of relay broadcast station which expires 12-1-41.

NEW—KSTB, Inc., St. Paul, Minn.—Construction permit for a new relay broadcast station to be operated on **156750, 158400, 159300, 161000 kc.,** 50 watts, Emission A3. Amended to specify Emission as Special.

W2XMC—Muzak Corp., New York, N. Y.—Modification of construction permit (B1-PEX-36) as modified, for a new developmental broadcast station, requesting extension of completion date from 3-1-42 to 9-1-42.

NEW—The National Life and Accident Insurance Co., Nashville, Tenn.—Construction permit for a new relay broadcast station to be operated on **156750, 158400, 159300, 161100 kc.,** 40 watts Emission: Special.

NEW—Wichita Broadcasting Co., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** power 50 watts, Emission A3.

NEW—Queen City Broadcasting Co., Inc., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.,** 50 watts, A3 Emission.

NEW—Queen City Broadcasting Co., Inc., Portable-Mobile—License to cover above construction permit (B5-PRE-421).

NEW—The Radio Voice of New Hampshire, Inc., Portable-Mobile—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.,** 15 watts, Emission A3 (Section 3b).

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Branch Institute of Eng. & Science—A complaint has been issued charging Joseph G. Branch, 3917 South Parkway, Chicago, trading as Joseph G. Branch Institute of Engineering and Science, with misrepresentation in the sale of correspondence courses of instruction to purchasers in Central and South American countries. (4708)

Ferbo Company—Dissemination of false advertisements concerning a food flavoring product is alleged in a complaint issued against Arthur H. Ferber, trading as The Ferbo Co., 100 King's Road, Madison, N. J., manufacturer and distributor of various food products. (4706)

Parker-McCrory Manufacturing Co., 2609 Walnut St., Kansas City, Mo., maker of electric fence controllers for confining livestock, is charged, in a complaint, with misrepresentation in the sale of its products. (4707)

Sally's Furs, Inc., 17 West 44th St., New York, in a complaint is charged with misrepresentation in the sale of ladies' fur coats. (4705)

CEASE AND DESIST ORDERS

The following cease and desist orders were announced by the Commission last week:

McK. Edwards, a resident of Valley, Wash., has been ordered to discontinue false advertising in the sale of a treatment for skin ailments. (4317)

Queen Ann Manufacturing Company—An order has been issued directing Clifford S. Donnell, trading as Queen Ann Manufacturing Co., 164 West Market St., Newark, N. J., to cease and desist from misrepresentations in connection with the sale of a hair dye cosmetic variously designated as "Queen Ann Hair Dye," "Queen Ann Hair Coloring" and "Queen Ann Liquid Hair Coloring." (4652)

Rogers Silverware Exchange and Rogers Redemption Bureau, J. L. Ramsay, 231 Blair Ave., Newport News, Va., has been ordered to discontinue misrepresentations in the sale to merchants of silverware or sales promotion plans. (4094)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Air-Seal Distributors, Inc.—Manufacturer of a compound designed to prevent punctures in pneumatic tires, Air-Seal Distributors, Inc., 8053 Beverly Blvd., Los Angeles, stipulated to cease designating its product as being "puncture proof" or as being a "recent scientific triumph" in the elimination of tire trouble. The respondent also agrees to desist from advertising that huge profits or a permanent income may be expected by agents who sell its "Air-Seal" compound or that the salesmen are in a new business or have no competition. (3392)

C-A Wood Preserver Co., 6625 Delmar Blvd., St. Louis, has entered into a stipulation to discontinue representing that its "C-A Wood Preserver" has been approved or recommended by the United States Government or any of its departments or agencies; that the product has been tested by the U. S. Forest Products Laboratory, such tests having proven the product to be the highest quality wood preserver examined; that the product or a mixture thereof with fuel oil, petroleum distillate or used crankcase oil is superior to creosote oil as a wood preservative; and that it will prevent rot or decay or cause wood to be immune from damage by termites. (3385)

Dixie-Portland Flour Co., 656 Riverside Drive, Memphis, Tenn., stipulated to cease selling or otherwise disposing of flour or other merchandise by means of a game of chance, gift enterprise or lottery scheme. The respondent agrees to desist from supplying others with pull cards, prize drawing cards or other lottery devices, either with assortments of flour or other merchandise, or separately, which devices are used or may be used in selling or distributing such flour or other merchandise to the public. The respondent also stipulates it will cease placing in the hands of others premium flour or other merchandise for use in conducting lotteries. (3391)

Energized Electrolyte Co., and as R. J. B. Electrolyte Co., James B. Wood, Calvin Theater Building, Dearborn, Mich., stipulated that in the sale of a solution designated "Energized Electrolyte," for use in storage batteries, he will desist from representing that batteries treated with the product require less attention, recuperate quicker after a rapid discharge, have a higher rate of charge acceptance, and, when idle for long periods of time, depreciate less, than batteries treated with or containing electrolyte used in batteries generally; that the charging of batteries treated with the product can be adequately accomplished in from 8 to 10 minutes or in any other period of time less than that necessarily required to charge such batteries adequately; and that the product is harmless to batteries or that it is unnecessary to add water to batteries treated with such product. (3387)

Erskine Studio—Noel L. Erskine and Alena M. Erskine, trading as Erskine Studio and Erskine Music Studio, 2228 Rosedale Ave., Oakland, Calif., entered into a stipulation to cease and desist from representing that a course of instruction in piano playing offered by them is given free when actually the price thereof is included in the price asked and required to be paid for another course; that there is a time limit within which a prospect must avail himself of an offer or that such offer will not be repeated, when in fact the offer is not limited as to time but is available to all persons at any time; that a 12-year-old child with no previous training would have no trouble in learning to play the piano by applying the Erskine method; and that a course offered at $3.75 is the same as one offered at $15, when in fact the latter course includes benefits not available in the former. (3384)

Erwin, Wasey & Co., Ltd., 230 North Michigan Ave., Chicago, an advertising agency, stipulated to cease representing, in behalf of The Battle Creek Food Co., Battle Creek, Mich., that the Battle Creek company's preparation "LD-Lax" will relax the colon or intestines, is a constipation remedy, or is valuable in treating stomach disorders, and that the Battle Creek company's "Lacto-Dextrin" insures or restores health, restores the intestinal system to a healthy balance, and prevents stomach misery. (02946)

B. T. Fooks Manufacturing Company—Benjamin Tyndale Fooks, Gulnare Estelle Fooks and Terrell Davis Fooks, trading as B. T. Fooks Manufacturing Co., Camden, Ark., stipulated that, in the sale of a syrup used in compounding a soft drink designated "Grapette," they will stop using the words "grape" or "Grapette" to represent or designate a product not composed of the juice or fruit of the grape, and also will cease placing in the hands of others labels, brands or representations containing the prohibited words. If the word "grape" or any other word of similar implication is used to describe a product composed in substantial part of the juice or fruit of the grape, then it shall be clearly indicated that the product is not made wholly of the juice or fruit of the grape, and the other ingredients therein shall be properly and accurately revealed. The stipulation provides further that if the product is artificially or synthetically flavored, that fact shall be indicated by the word "imitation" printed in type equally as conspicuous as that in which the word "grape" appears. (3383)

S. M. Frank & Co., Inc., 133 Fifth Ave., New York, entered into a stipulation to cease representing that its "Frank Medico" pipes or the filters used therein will exclude nicotine from smokers' mouths or will obviate "tongue bite" or "raw mouth"; that the pipes require no "breaking in" or that the filters are capable of "breaking in" pipes; and that the pipes require no cleaning other than changing filters. (3388)

Ideal Water Softener Company—E. J. Segna, 621 South Union St., Pueblo, Colo., trading as Ideal Water Softener Co., has entered into a stipulation under which he agrees to cease representing that the water softening devices he sells have been approved by the United States Government; that hard water or faucet water such as is found in the average of localities in the United States will destroy health or beauty, cause enlarged pores, blackheads and dandruff, make hair sandy and rough, and cause gallstones, kidney stones, rheumatism, or arthritis; that use of water softened by his devices will cause all vegetables to cook in less time and retain their color better than if hard water were used, and will eliminate soap irritation or chapping, or that any such injury as results to the skin is due in appreciable degree to the hardness constituents of the water and not almost entirely to the increased amount of soap which may be used. (3386)

Lucky Gardens, R.R. 2, Knox, Ind., dealer in a peat product (3390), and the Lee County Peat Moss Co., Giddings, Tex., miner and producer of peat taken from a bog in Lee County, Tex. (3393), entered into stipulations to cease using the words "peat moss" as descriptive of their peat products which are sold as soil conditioners. The respondents agree to discontinue employing the designation "peat moss" in any manner implying that their products are moss peat, which consists chiefly of decomposed stems and leaves derived from species of Sphagnum mosses. The respondents' commodities are not moss peat, according to the stipulations. (3390 and 3393)

E. E. Palmer, 144 North Walnut St., Wooster, Ohio, engaged in the sale of an outfit containing equipment and instructions for making name plates, signs and mirrors, stipulated that he will cease and desist from representing that financial independence, huge profits, or any other exaggerated earnings may be expected by purchasers of his name plate outfit or other merchandise, or promising any returns in excess of the average earnings actually achieved by his customers under normal business conditions; and will stop representing in any manner whatsoever that any offer he makes is special or unusual so long as no price reduction or trade concession is made therewith.

The respondent also agrees to discontinue the use of a so-called "special offer coupon" which, in fact, does not entitle the holder to some special advantage in price, quality or terms, and to cease describing as "free" any sample coupon which must be accompanied with the cost, in whole or in part, of the merchandise referred to in such coupon. (3389)

Reuter Seed Company, Inc.—Two distributors of chicks, Reuter Seed Co., Inc., 320 North Carrollton Ave., New Orleans (3394), and Kleppisch Bros., Inc., trading as Missouri Hatchery, Bowling Green, Mo. (3395), stipulated that in the sale of chicks not properly described as "U. S. Record of Performance" chicks in accordance with the provisions of The National Poultry Improvement Plan, they will cease using the initials "R. O. P." or other similar indications implying to purchasers that their birds are U. S. Record of Performance stock. (3394 and 3395)

Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 9, February 27, 1942

War News

REQUIREMENTS FOR OPERATORS RELAXED

The FCC, in recognition of the growing shortage of first class radiotelephone operators and upon the recommendation of the Defense Communications Board, relaxed its operator requirements to permit the operation of broadcast stations of any class by holders of radiotelegraph first or second class operator licenses or radiotelephone second class operator licenses. A broadcast station may use operators of such classes, however, only insofar as it is unable to secure a sufficient number of first class radiotelephone licensees.

Lynn Smeby, NAB Engineering Director, had discussed this problem for some months with both FCC and OCB officials.

At least one first class radiotelephone operator must be employed who will be responsible at all times for the technical operation of the station and must make all adustments of the transmitter equipment other than minor adjustments normally needed in the daily operation of the station. Any adjustment of transmitter equipment other than a minor one must be made by a first class radiotelephone operator and until such operator is available to make the adjustment, the station shall cease operation.

The Commission in relaxing its requirements emphasizes that a station licensee is not relieved of his responsibility of operating the station in exact accordance with the rules and regulations of the Commission. The relaxation is intended solely to meet a critical shortage of technical personnel. It is expected that the relaxation will not impair technical operation of broadcast stations or lower labor standards in the industry. If it is determined that first class operators are available, the Commission will restore the higher standards.

The text of the FCC order is printed elsewhere in this issue.

NEW CONSTRUCTION LIMITED

Donald M. Nelson, chairman of the War Production Board, announced Tuesday a plan for drastic limitations on all new construction of standard broadcast facilities in the United States. The program also limits any changes in broadcast facilities.

J. S. Knowlson, Director of Industry Operations, said that future priorities assistance to enable builders to obtain critical materials would be in accord with the plan.

The plan was worked out on the basis of recommendations made by the Defense Communications Board. The Board's recommendations, which were approved, were:

1. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for the construction of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations.

2. No critical materials shall be allocated by the War Production Board or further authorizations issued by the Federal Communications Commission for construction in order to change the transmitting facilities of any existing standard broadcast station, unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations.

3. No critical materials shall be allocated by the War Production Board for the construction, under outstanding authorizations of the Federal Communications Commission:

(a) Of any new standard broadcast station where all or a substantial part of the proposed primary service area is already provided with primary service from one or more standard broadcast stations; or

(b) In order to change the transmitting facilities of any existing standard broadcast station unless the change will result in a substantial new primary service area no substantial part of which is already provided with primary service from one or more standard broadcast stations.

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

PUBLIC NOTICE
February 24, 1942.

In the Matter of Policy and Procedure)
for Handling Standard Broadcast)
Applications)

MEMORANDUM OPINION

BY THE COMMISSION:

Because of the present war emergency, the Commission is called upon to formulate a policy and procedures for the future handling

(Continued on page 108)

You Can't Afford to Miss The NAB Convention

May 11, 12, 13, 14

Statler Hotel **Cleveland, Ohio**

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

WAR NEWS

(Continued from page 107)

of standard broadcast station applications. The effective conduct of the war is, of course, a paramount consideration for all of us. The requirements of the armed services have created a shortage of the critical materials and skilled personnel required for the construction, operation, and maintenance of radio broadcast stations. This must inevitably affect plans for the increase or improvement of broadcast facilities.

However, it is not clear at this time that the expansion of broadcasting should be entirely eliminated for the duration of the war. For the best war effort, it is important that there be adequate broadcast facilities throughout the nation. The three governmental agencies concerned with this problem—the Defense Communications Board, the War Production Board, and the Federal Communications Commission—are in agreement that, so far as possible, every part of the country should receive a good radio service. We have not yet reached that goal.

It follows that the scarce materials and limited personnel available to the broadcast services should be carefully conserved to meet this basic need. The public interest clearly requires such conservation and the Commission must apply the test of public interest in exercising its licensing functions. The problem as to materials is of course primarily the concern of the War Production Board. On January 30, 1942, the Commission announced in a press release that at the request of the Defense Communications Board, pending the adoption of a specific policy by that Board and the War Production Board, the Commission would make no further grants for the construction of stations or authorize changes in existing standard broadcast transmitting facilities where all or a substantial part of the proposed new primary service area already receives primary service from one or more other stations. The Defense Communications Board, on February 12, made its further specific recommendations to the Commission and to the War Production Board. Cooperating with both those Boards, the Commission has now worked out a policy and procedures for the handling of new and pending standard broadcast applications.

Under the policy adopted the Commission will grant no standard broadcast station application unless a showing is made that:

(1) Construction (if any) pursuant to the grant will not involve the use of materials of a type determined by the War Production Board to be critical; or

(2) Where the application is for a new standard broadcast station, the station will provide primary coverage of an area no substantial part of which already receives primary service[1] from one or more standard broadcast stations; or

(3) Where the application is for a change in the facilities of an existing standard broadcast station, the change will result in a substantial new primary service area no substantial part of which is already provided with primary service[1] from one or more standard broadcast stations.

The Federal Communications Commission Standards of Good Engineering Practice will be used as a guide in the determination of primary service. For the time being, requests involving essential requirements for repair or maintenance will be treated as heretofore.

Applications not heretofore acted upon which do not fall within one of the three described categories will be designated for hearing upon appropriate issues. In cases heretofore designated for hearing, where notice of issues has already been announced, specific issues appropriate to the new policy will be added. Cases which have already been heard will, when necessary to apply the new policy, be redesignated for hearing upon issues under this policy. Cases in which proposed findings have already been issued will be determined as heretofore.

Applicants who consider that their applications satisfy the new requirements may wish to support their applications by filing a proper petition supported by affidavit setting forth detailed data on this point.

In cases where an application has heretofore been granted subject to approval of a further application to be filed by the applicant, such further application will not be granted unless the proposal meets the requirements set forth above, or the applicant has, pursuant to the grant, actually commenced construction or made substantial expenditures for materials or equipment prior to the date hereof.

The Communications Act contemplates that construction permits should not be issued or allowed to remain outstanding where there is no reasonable prospect of completion of the proposed construction within a reasonable period of time. Hence, requests for extensions of completion dates under standard broadcast authorizations will not be granted by the Commission unless the applicant can by proper petition show that the proposed construction meets the requirements set forth above, or that the applicant has actually commenced construction prior to the date hereof and has available all the critical materials and equipment necessary to the completion thereof. However, requests for extension of completion dates under authorizations issued in cases where proposed findings are now outstanding will be granted if the requirements set forth above are met, or if the applicant has available all critical materials and equipment necessary for completion.

The foregoing requirements may be waived where changes in facilities are required to be made by an agency of the Federal Government.

Special policies are now being developed with respect to experimental operation, frequency modulation and television stations, facsimile, and auxiliary broadcast services, taking into account the technical experimental benefits to be gained especially insofar as they may assist the war effort. Applications involving international broadcast stations will be considered and acted upon in accordance with policies worked out in cooperation with other Governmental agencies concerned with this field.

T. J. Slowie,
Secretary,

Dated: February 23, 1942.

BROADCASTERS' ADVISORY COMMITTEE MEETS OFF OFFICIALS

Plans for radio coordination of all War activities were discussed at a meeting of the OFF Broadcasters' Advisory Committee held on Friday, February 20th. The meeting was attended by William Lewis, Douglas Meservey, Phil Cohen, Frank Stanton and Clyde Vandeburg, of OFF; Bernard Schoenfeld of WPB; and members of the Advisory Committee, consisting of Neville Miller, NAB; John Shepard, III, BVC; Eugene Pulliam, NAI, John Fetzer, NAB; and James Shouse, Clear Channel Group. George Storer of the NIB was not able to be present.

Mr. Lewis discussed the origin and functions of the OFF and stated that the Committee was called to discuss with the OFF how information needs should be met most effectively on the air. Preliminary studies of the material now being received by the stations from Government agencies were discussed and plans for better coordination of all these activities were considered.

The President's recent speech was studied in which he emphasized the six themes which were to receive continuing attention, namely: Aims and Issues of This War; Work and Production; Sacrifice;

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[1] As here used, "primary service" includes service to be rendered pursuant to an outstanding broadcast construction authorization.

Nature of the Enemy; the United Nations and Peoples; and, the Fighting Forces. The Spring production drive was placed as the number one priority and was launched by the President's speech on February 3rd. Plans for following up this campaign were considered.

It was announced that Mr. MacLeish would make a speech to the industry on "closed circuits" of the four networks on Saturday, February 28th.

Meetings of the Committee will be held on Friday of each week.

IDEA POOL

The OFF has plans under way to form an "Idea Pool" of unique programs and ideas used by various stations in handling the War effort story. More details of this plan will be given at a later date. However, let's start the Pool off now by sending all such programs, ideas and suggestions to NAB Headquarters now.

STAR SPANGLED BANNER

The Office of Facts and Figures has suggested that the NAB request member stations to review their scheduling of the Star Spangled Banner.

The OFF feels that over-emphasis can take away from its effectiveness and that the anthem should be reserved for only the most important programs in addition to opening and closing a station.

NEW INDUCTION PROCEDURE

The War Department on Tuesday advised National Headquarters, Selective Service System that all acceptable registrants will be inducted into the military forces at the time of the Army physical examination, thereby eliminating the present Army pre-induction procedure.

National Headquarters said that the War Department has given assurances that in cases where the immediate induction would cause undue hardship to the registrant he will be given an immediate furlough to adjust his civilian affairs.

Although the final physical examination by the Army will continue to be the most thorough one given to registrants, the local boards will continue to give "screening" examinations, rejecting the obviously physically unfit men.

Under the new procedure registrants will have the same rights of appeal and right of personal appearance before their local boards as they do at present.

Instead of receiving the notice to report for physical examination by the armed forces as they do now, the registrants will be given a notice of induction, National Headquarters said.

HOW TO SIGN PD-1A

Stations cannot use form PD-1 after February 28, 1942. Beginning with March 1, 1942, form PD-1A must be used to get emergency items or material for which the industry priority, A-10, is ineffectual.

The Director of Industry Operations has issued a warning on how to sign "PD-1A." He said that applications can not be considered unless they are properly signed at the bottom of the first page of the copy marked "Duplicate" and not in the space marked "Certification" on the back of the sheet.

Some confusion may result because the general instructions which accompany the form instruct applicants to "execute the certification on the duplicate copy."

NEW AUTOS FOR STATIONS

Recent press releases do not clearly indicate that broadcasters are entitled to be considered by local boards as eligible to take delivery of new passenger cars. That they clearly are eligible appears from "New Passenger Car Regulations.—Order No. "—A", issued by the Office of Price Administration, and effective March 2. In summary, the Regulations provide that executives, engineers and workers needing transportation to and from communication facilities "when the work done at such places is essential, directly or indirectly, to the prosecution of the war" are eligible for consideration. It is the opinion of officials here that broadcasting executives, engineers and workers at transmitter sites and studios and on remotes are working directly or indirectly in the prosecution of the war, and that local boards will interpret the Regulations with some degree of liberality, relative, of course, to the demands of other essential people, such as firemen and policemen, for the available cars. As in the case of recapping and retreading of tires, persons classified as eligible must show that other means of transportation are unavailable, etc.

District Meetings

DISTRICT 4

John Kennedy, WCHS, fourth district director, has called a meeting for 10 a. m., March 7, at the Hotel Roanoke, Roanoke, Va. The schedule for other coming district meetings was included in last week's NAB Reports.

DISTRICT 14

Broadcasters of Colorado, Utah, Wyoming, Montana and Idaho, making up the 14th NAB District met at Denver on Wednesday (25).

Ed Yocum, KGHL, was elected district director to succeed Gene O'Fallon, KFEL.

At an open general session which lasted from 10 in the morning to late in the afternoon problems of the industry incident to the war were thoroughly discussed. Bill Bailey, of the Radio Branch, Bureau of Public Relations, War Department; Bob Richards of the Office of Censorship; Lieut. L. L. Lovett, USNR, Assistant Public Relations Officer for the 12th Naval District; and Capt. Roberts, USMC, gave interesting and instructive talks. C. E. Arney, Jr., Assistant to the President of NAB, told of the many activities being carried on to aid the broadcasting industry to better perform its wartime services.

Luncheon guests of the Denver Broadcasters were Colonel Duncan, Commanding Officer of Lowry Field; Colonel Gimperling, Recruiting Officer; Colonel Temple, Fort Logan; Capt. Roberts, USMC; Capt. Thompson, Fort Logan; Capt. Hughes, Fort Warren; Lieut. Cookman, Lowry Field; Lieut. Griffin, Fitzsimmons Field; Mr. Cohen of the American Legion; Lieut. Lovett, USNR; Lieut. Ward, USN Recruiting Service; Bob Richards, Office of Censorship; Bill Bailey, War Department; Mr. Murray, FCC; and Carl Haverlin, BMI.

At the business session of NAB members which followed the General meeting the following resolutions were adopted:

"Broadcasters of the 14th District of the National Association of Broadcasters assembled in Denver, February 25, 1942; do hereby:

1. Express our pride and satisfaction that one of our Board of Directors, J. Harold Ryan, has been given the responsibility of assistant director of Censorship.
2. Express our thorough realization of the need for coordinated effort to achieve military victory and pledge our support not only to all governmental agencies engaged in the war effort but our particular cooperation to the Office of Censorship, the Office of Facts and Figures, Defense Communications Board and the recently formed Broadcasters Victory Council.
3. Congratulate Neville Miller, President of the National Association of Broadcasters, and those associated with him in suggesting policies to be followed by our industry, and pledge our renewed support to these efforts to achieve unity not only in the industry but in the all-out war effort being made by broadcasters everywhere.
4. Renew the pledge to government expressed by Mr. Miller on December 7th in his wire to the President and acknowledge our

obligation to the American people to make it possible for them in turn to maintain a high standard of morale; to receive as quickly and as accurately as is possible and compatible with good military practice all information in connection with the United Nations war effort.

5. Urge all broadcasters to use the greatest discrimination in the preparation of news broadcasts; that the NAB suggestions in this field be read and re-read by all responsible for news broadcasts and that wherever feasible the responsibility for the handling of news broadcasts be centralized in each station; that NAB's news Code and the revisions to it which will likely follow be made a standard of good ethics in each station.

6. We view with concern the danger open under our system of free speech, the possibility that we, as broadcasters, may innocently be the tools of cleverly executed enemy propaganda, therefore we urge all broadcastrs to scan closely their news wires and other news sources for enemy propaganda, for example, the claims broadcast by Axis nations; nor would we disseminate the claims made by Axis nations in their short-wave broadcasts except insofar as admission of defeat support the claims of our government and our allies.

7. Take cognizance of the fact that in times of national emergency there will be many who will make capital of it in attempting to achieve private gain and that we urge all broadcasters to again read and re-read the NAB Code and take this occasion to congratulate one of the members from our District, Mr. Earl Glade, who has recently been made Chairman of NAB's Code Committee.

8. Again express our demand and our wish that a free and highly competitive music market be maintained; that we thank the officers and personnel of BMI for the remarkable feat which it achieved in breaking the monopoly of music available to broadcasters; that we thank the officers and personnel of SESAC for the aid and counsel which this group rendered and is continuing to render broadcasters and that to guarantee a continued competitive music market we pledge our unanimous support to Broadcast Music, Incorporated, urging all stations to immediately execute new licenses of the type of their choosing with BMI.

9. Express our appreciation for interest in industry evidenced by members of the military, civilian and private groups participating in our session and thank our Director, Gene O'Fallon and the many other broadcasters of Denver who cooperated in the arrangement and conduct of this meeting.

The Resolutions Committee consisted of Ed Yocum, KGHL, and Glenn Shaw. KSL.

The Elections Committee consisted of Rex Howell, KFXJ, Lloyd Yoder, KOA, and Frank Hurt, KFXD.

Those in attendance:

C. E. Arney, Jr., NAB; Bill Bailey, War Department-Radio Branch; Milton Blink, Standard Radio; Frank Bishop, KFEL; Stan Brown, KOA; T. C. Ekrem, KVOD; Joe Finch, KVOD; Fred D. Fleming, KLZ; Emile J. Gough, SESAC; William C. Grove, KFBC; Ralph W. Hardy, KSL; Carl Haverlin, BMI; Harold Heroux, INS; Clifford Houston, State Chairman of Civilian Morale Committee, Radio Committee, University of Colorado; Charles Howell, KFXJ; Rex Howell, KFXJ; Robert B. Hudson, Rocky Mountain Radio Council; Frank E. Hurt, KFXD; Raymond Keane, Raymond Keane Advertising Agency; Lt. L. L. Lovett, USNR; James R. MacPherson, KOA; Don McCaig, KLZ; J. H. McGill, KGHF; R. H. Owen, KOA; E. G. Pack, KSL; Francis Price, KFKA; William D. Pyle, KVOD; Robert K. Richards, Office of Censorship; Curt Ritchie, KGHF; R. F. Schuetz, NBC Radio Recording Division; Glenn Shaw, KSL; Hugh Terry, KLZ; Bud Thorpe, KLZ; Wesley O. Tomlin, KPOF; Harvey E. Wehrman, KLZ; Ralph Wentworth, Lang-Worth; Ed Yocum, KGHL; Lloyd E. Yoder, KOA; Tracy S. McCraken, KFBC; Gene O'Fallon, KFEL; Holly Moyer, KFEL, and Cecil Seavey, KFEL.

DISTRICT 16 MEETING

Calvin Smith, KFAC, was elected district director, to succeed Harrison Holliway, KECA-KFI, at a District 16 meeting in Los Angeles, February 23. Representatives of 26 stations in Southern California, Arizona and New Mexico, attended. Attendance totaled 60.

John Paine, ASCAP general manager, one of the speakers, asked the indulgence of those present and made a stirring appeal for the industry's support of BMI.

"If BMI is to remain a strong competitor in the music field and preserve the gains it has accomplished for the broadcasting industry it must have additional financial support," said Mr. Paine.

"I say to you that it cannot do the kind of a job that has to be done unless it receives the backing of the industry on a liberal scale that will make it possible to pay its composers and affiliated publishers."

Mr. Paine stated that ASCAP felt a strong competitor in the music licensing field was not only desirable but was the best assurance of an adequate and competent supply of music for the broadcasting industry.

These observations by Mr. Paine were consistent with remarks made previously by Claude Mills and himself at other NAB district meetings.

Commenting, Carl Haverlin, BMI vice president, said:

"I'm glad that Mr. Paine wants competition. BMI and the broadcasting industry guarantee him he will get it."

C. E. Arney, Jr., Assistant to the President, made a comprehensive report of NAB wartime activity. Carl Haverlin, BMI Vice President, explained the contracts offered by his organization. Leonard Callahan, General Counsel of SESAC, spoke on his service.

Representatives of the various branches of the service were guest speakers. These were, Major John S. Winch, United States Marine Corps; Ensign Tom Frandsen, Public Relation department, USN., and Robert C. Coleson, Administrative Executive, Radio Branch, Bureau of Public Relations of the War Department.

Following the general meeting the NAB member stations held their Biennial meeting. The following Resolutions were unanimously adopted:

Resolved that it is the sense of the broadcasters of the 16th District assembled here that news services should refrain from releasing any information regarding the broadcasting by American prisoners of war in Japan as it is believed that such information serves to emphasize the Japanese broadcasts; tends to create greater listening to them and thus subjects an increasing number of people to the influence of Japanese and Axis propaganda which surrounds the prisoner part of these broadcasts.

Inasmuch as the National Association of Broadcasters has served as a unifying influence within the industry and without it and is at present engaged in active support of the War efforts as well as continuing to serve the industry in other matters through its regular channels—

Now therefore be it resolved: That the broadcasters of the 16th District hereby go on record as unanimously supporting NAB and pledge their continued and loyal cooperation.

Inasmuch as the broadcasting industry recognizes that it has been benefited by sharp reductions in music performance rates as a result of the competition established by BMI.

And Whereas it is agreed that a perpetuation of these benefits must, in a major sense, depend upon the continuation of an aggressive competition by BMI and an active support of that organization by the industry.

Now, therefore, be it resolved: That the stations of the 16th District here assembled that are now licensed by BMI agree to sign the new licenses promptly and hereby urge all stations to do likewise.

The complete attendance was as follows:

C. E. Arney, Jr., NAB; Robert Richards, Office of Censor; R. C. Coleson, Radio Branch, War Department; Ensign Tom Frandsen, U. S. Navy; C. P. MacGregor, C. P. MacGregor; Harry Engel, BMI; E. J. Gough, SESAC; Leonard D. Callahan, SESAC; Milton Harker, International News Service; Hubert Gagos, United Press; Chester G. Matson, Edward Petry & Co.; Major John S. Winch, U.S.M.C.; Carl Haverlin, BMI; Pat Campbell, World Broadcasting; Bernie Milligan, KFI; Jack Hellman, Variety; David Glickman, Broadcasting; Bud Keeler, Broadcasting; Herman Greenberg, ASCAP; Richard J. Powers, ASCAP; John G. Paine, ASCAP; Carleton E. Coveny, John Blair Co.; Ben S. McGlashan, KGFJ; Warren B. Worcester, KFMB; J. A. Reilly, KOY; L. W. McDowell, KFOX; Gerald King, Standard Radio;

Robert Reynolds, KMPC; Harry Maizlish, KFWB; E. C. Hughes, KFWB; Manning Ostroff, KFWB; Fox Case, KNX; Clete Roberts, Blue Network; Glan Heisch, KFI-KECA; Harrison Holliway, KFI-KECA; Ernest Felix, KFI-KECA; Clyde Scott, KFI-KECA; Curtis W. Mason, KFI-KECA; Homer Griffith, KFMB; Calvin J. Smith, KFAC; Harry Witt, KNX; John Babcock, KFSD; Frank M. Kennedy, KHJ; Ernest L. Spencer, KVOE; H. Duke Hancock, KGFI; Lyman Smith, KMTR; J. C. Lee, KFXM; L. A. Schamblin, KPMC; N. Vincent Parsons, KPPC; Leon Hall, KPPC; Lee Wynne, KGER; John Austin Driscoll, KRKD; R. F. Schuetz, NBC; Jennings Pierce, NBC; Les Hacker, KVEC; Don Gilman, Blue Network; Dick Lewis, KTAR; Bernard H. Linden, FCC, Inspector in Charge; Van NewKirk, KHJ, and Richard F. Connor, So. California Broadcasters Association, Radio Co-ordinator.

Radio Training Courses

By the middle of next week Engineering, Science and Management Defense Training of the U. S. Office of Education, Federal Security Agency, should be out from under the avalanche of proposals for radio technician courses received from colleges and universities.

Dean Seaton's office anticipates that a complete list of schools will be ready for printing in next NAB Reports.

NEED FOR MEN MUSHROOMED

1—The United States Marine Corps has indicated its needs for men with fundamental radio training. Facts were made known to Arthur Stringer, secretary, NAB War Committee.

2—U. S. Army recruiting announcement of February 23 says: "the Army Signal Corps sends out an SOS for radio operators. Men with amateur commercial licenses are wanted at once! . . ."

3—Navy recruiting announcement for February 23 appeals to "radio-minded young Americans to build themselves a specialized career in the USN . . . operating high frequency equipment for locating distant ships and planes . . . holders of operating licenses are wanted." The ESMDT-NAB training courses are designed to equip men with equal basic knowledge so that they can take specialized in-service training in order to operate such equipment.

4—In this week's folio of announcements the Civil Service Commission asks for "radio mechanics and technicians for key war jobs . . . minimum requirements of one year of paid technical experience or completion of specific radio training courses".

ADDITIONAL FUNDS

Hearings on the matter of additional funds should be under way on or after March 2. In a bulletin to ESMDT Institutional Representatives, Dean R. A. Seaton, ESMDT Director, said in part:

> "Proposals for ESMDT elementary radio courses already submitted to this office involve such large commitments of funds that approval of proposals for such courses must be discontinued until further notice, except to take care of *applications from prospective trainees already received by the institutions.* This limitation is necessary in order to avoid undue restriction of other types of training needed by war industries."

LUTHER COLLEGE

Luther College, Decorah, Iowa, owners and operators of station KWLC, have received approval for one radio technician training course. One radio course is but a small fraction of what could be accomplished at this school and it is hoped that Washington will provide funds at an early date so that schools everywhere may make the maximum contribution to the War effort.

WASHINGTON STATE CLASSES

Robert E. Priebe, industry representative, KRSC, Seattle, Wash., said: "Seattle classes are starting at the University of Washington tonight (Feb. 17). Classes have already been started in Bellingham, and next week classes will be started in Tacoma, Olympia and Centralia. . . ."

E. A. Loew, state coordinator, and Dean, College of Engineering, University of Washington, wrote Mr. Priebe: "We greatly appreciate your fine cooperation in getting this program under way. Your announcements are obtaining results."

BRADLEY TECH—PEORIA

Edgar L. Bill, president, WMBD, Peoria, wrote on February 18 that Bradley Polytechnic Institute would begin a course for radio technicians early in March. The school plans to teach a minimum of 75 students selected from several times that number applying.

UNIVERSITY OF ILLINOIS ACTIVE

According to a note from William R. Traum, director, news and promotion, WROK, Rockford, Ill., the station is taking the leadership in the establishment of radio training courses in Rockford.

H. C. Roundtree, of the University of Illinois, is setting up courses in Illinois cities outside of Chicago. Inasmuch as Illinois is such a populous state and the University of Illinois is such a progressive and capable school, it is hoped that funds which will enable this work to continue will be provided without extended delay.

SHAWNEE, OKLA.

It is anticipated that radio technician training program will be inaugurated in Shawnee, Okla., according to Joseph W. Lee, general manager, KGFF. He said that response to announcements was much greater than anticipated and that three times as many applicants as could be accommodated were quickly received.

STATISTICS

A station that received 614 inquiries on radio technician training reports that approximately 50 percent or 300 filled out applications, of which only 100 to 125 could be handled by the local university.

UNIVERSITY OF ROCHESTER

The University of Rochester, which handled the responses to radio technician training announcements broadcast by WHAM, found that there were enough people with sufficient electrical knowledge for Part No. 2 of the course to be started simultaneously with Part No. 1. "Thus", said K. J. Gardner, technician supervisor, WHAM-W51R, "it is hoped to get a set of graduates in 16 weeks."

CHEYENNE

William C. Grove, manager, KFBC, Cheyenne, Wyo., with some 18 years of engineering experience in broadcasting, is teaching the class which is to be held in the station's studio in the Plains Hotel. Seventy-four of the 150 inquirers returned the application for enrollment blank. Only 9 of these were found to be not qualified.

Mr. Grove said that the University of Wyoming, which school is sponsoring the course at KFBC, plans to make application for a second section in Cheyenne.

TWO CLASSES IN SHENANDOAH

Two classes with 57 students are taking the radio technician training courses in Shenandoah, Iowa. The classes began February 13 using some of KMA's qualified engineers as instructors. This arrangement was completed by working through the Extension Division of Iowa State College. J. C. Rapp, KMA manager, called at NAB Headquarters earlier in the year with respect to this training program. He wrote that the station was also able to give help in filling out a radio class for Graceland College at Lamoni.

CHARLESTON CLASS STARTED

Charleston, West Virginia's radio class started February 3, according to Odes E. Robinson, technical supervisor, WCHS. The course is held in conjunction with Morris Harvey College. One hundred six students were accepted out of 270 applicants. Mr. Robinson has been pressed into service as an instructor along with members of the college faculty.

ALABAMA GOING STRONG

As of February 23 Howard E. Pill, president, WSFA, Montgomery, and Industry Representative for Alabama, reported that radio technician courses are operative as follows: Montgomery, 5; Birmingham, 5; Mobile, 3; Greenville, 3; Selma, 2, and one each in six smaller Alabama cities.

Processing of other radio courses in Alabama is now in progress.

Sales

Trade Groups Praise "Manual"

Although the NAB "Manual of Radio Advertising" is available only to, or through, member stations, by action of the Sales Managers Executive Committee a few copies were judiciously placed with several of the leading trade associations of the country, representing fields of great promise for radio advertising.

Among these were such as the National Retail Dry Goods Ass'n, The Retail Research Ass'n, the Ass'n of National Advertisers, the Financial Advertisers Ass'n, etc. Permission was given these groups to quote the Manual in releases to their membership regarding the value of radio advertising.

Comment has been uniformly enthusiastic, with evidence of considerable cooperation already given. Typical are the following:

Preston Reed, executive vice president, Financial Advertisers Ass'n: "You have done a perfectly marvelous job on the preparation of this Manual. I have carefully gone over every bit of it, and there is so much of real value to financial advertisers who might want to buy time on the air, that I am putting a paragraph in the March BULLETIN about this manual and will ask our members to contact their local radio stations for a complete copy. If I went further on this, I think the stations would be swamped with orders. . . ."

Irene Bender, Retail Research Ass'n, New York, representing 22 of the largest department stores in the nation: "We've read every page of your Manual and it has been a stimulating treat. . . . We've sent a note to our Publicity Directors urging that they, too, read this useful Manual. . . ."

From numerous other comments like these, NAB members may expect to hear from local prospects in various fields. Many stations have already anticipated this and have reviewed the Manual with local advertisers, adding their own station data. The NAB Sales Managers Committees would like to encourage this practice, because the basic purpose of the Manual is to spread the story of radio and thereby secure more business.

Advertising Pamphlets Enclosed

Two sample pamphlets, on "American Paradox" and "Dressing on Your Salad," which should have been mailed with last week's REPORTS, were not received at press-time, so are enclosed with this issue instead.

As stated last week, these are available in any quantity from William E. Rudge's Sons, 225 Varick St., New York, at $15 per thousand, with a charge of $2 (regardless of quantity) for imprinting your name and address if desired.

These are the first in a series "to educate the consumer regarding the social and economic values of advertising," and the plan has the endorsement of the NAB and of other associations, advertisers and agencies. Stations may order direct, and may also request a free copy of future leaflets.

Consumers' Information Week

March 15 to 21 has been designated as "Consumers' Information Week" throughout the nation, "so that the American consumer may better understand the functioning of our economic machinery and its importance in winning the war."

The plan, originated by the Pacific Advertising Ass'n, has been endorsed by various national associations in business and advertising. A complete outline of the plan, showing how stations may cooperate will be furnished on request by Charles W. Collier, Managing Director, Pacific Advertising Ass'n, 900 Title Guarantee Bldg., Los Angeles, Cal.

Mr. Collier states "We believe this is important because this is a war of materials, of nutrition, of conservation (of the right things) and of keeping a sound economy working so that after a victory is achieved we will return more easily to our program of free competitive enterprise."

"Wartime Radio Advertising"

A study on the immediate business outlook for radio, titled "Wartime Radio Advertising," was released to the NAB membership last week.

A limited quantity of additional copies are available to members without charge.

Per-Inquiry and Free Time

NAB members report that the **J. L. Stewart Agency**, Chicago, is seeking per-inquiry deals for the **American Marietta Co.;** and that **American Service Pin**, Los Angeles, seeks similar deals to sell a war-service pin.

Both have been invited by the NAB to use radio on the basis of established rates.

Miscellaneous

NAB BOARD MEETING

The NAB Board of Directors will meet Thursday and Friday, March 19-20, at the Roosevelt Hotel, New York, to discuss a number of matters, including developments in connection with the war, and the NAB Convention, to be held May 11-15 in Cleveland.

COST OF LIVING

The cost of living continues to mount. The Labor Department reports an increase of 1.3 per cent from December 15 to January 15, bringing the total increase since August 15, 1939 to 13.5 per cent. Figures for individual cities are available at the NAB.

AFA MEETS JUNE 21

The Advertising Federation of America announces that its thirty-eighth annual convention, which will be held at the Hotel Commodore, New York, June 21 to 24 inclusive, will be planned as a "National Round Table on Advertising in War Time."

Ranking officials in the various groups represented in the field of organized advertising will be asked to participate in the making of the plans for the program.

"The convention will set a new pattern in Advertising Federation of America conventions," says President J. A. Welch, Crowell-Collier vice president in releasing announcement of the date and place for the meeting.

"It will be a War-Time convention with oratory 'cut to the bone.'

"We will have an exhibit, with the latest of War-time advertising here and in our allied countries, Canada and Great Britain.

"Time will be planned for full discussion of today's advertising and sales problems, led by top men and women in the advertising field.

"Certainly, there has never been a time when we had more vitally important problems to consider and every effort will be made to bring them out in the open.

"Committees which are now in process of formation, will be announced shortly."

AULL TO REPRESENT NAB

James Aull, KYW, Philadelphia, will represent the NAB at the annual meeting of the American Academy of Political and Social Science, to be held April 10-11 in Philadelphia.

STENGER'S 20 YEARS IN RADIO

One of the old timers in the broadcast business is John H. Stenger, Jr., owner of WBAX, Wilkes-Barre, Pa. May 1, 1942, marks his 20th anniversary in broadcasting. February 3 of this year was his 31st anniversary "in this wireless business." Mr. Stenger is continually impressed at the way stations have gradually evolved into vital centers of information, and also at radio's ability to gratify most of the requests for information.

As to the "reaching" ability of radio he mentions this gem:

"The Navy recruiting station requested us to announce 24 names at 11:00 o'clock in the morning—names of young men who were waiting further orders. To the surprise of the Navy men all recruits reported within 20 minutes and 24 hours later were enroute to training stations."

But most of all Mr. Stenger says that he is proud to look at the wonderful spirit of cooperation offered by all the stations everywhere.

KIRO EDUCATIONAL AWARDS

Through radio station KIRO, Seattle, Mr. Saul Haas, the station's vice-president, has established a fund of $500.00 to be awarded to those individuals who in the judgment of the KIRO Educational Awards Committee best complete (in not more than one hundred words) the statement . . .

"If I had a radio station *one* of the things I would do . . ."

The awards are open to members of the School Broadcast Conference, the Institute for Education by Radio, the Association for Education by Radio, and all persons interested in educational and public service radio programs.

Members of the staff of KIRO, the Executive Committee of the School Broadcast Conference, the Evaluation of School Broadcasts staff, and the Publications Committee of the Association for Education by Radio are eligible only for honorable mention citations.

The awards will be announced at the Association for Education by Radio luncheon to be held in connection with the 13th Annual Institute for Education by Radio, Columbus, Ohio, May 3-6, 1942.

KFRU 100 PER CENT

C. L. Thomas, of KFRU, Columbia, Mo., reports that the payroll defense saving plan for the purchase of stamps and bonds is operative at KFRU—100 per cent.

WJTN'S ANTI-HOARDING CAMPAIGN

In an effort to make civilian buyers conscious of the danger of hoarding, WJTN, Jamestown, N. Y., has launched a new type of educational campaign. The news came from A. E. Spokes, WJTN service director. He said that local reaction has been excellent. The announcements are terse, bold and patriotic. Here are a few which have been used:

"This is war! Don't be a hoarder and overstock on goods to the extent that your neighbor cannot be supplied. Do your part—don't waste—buy intelligently—and don't be a hoarder!"

"Government rationing is the result of an 'emergency'. Hoarding and '*scare buying*' creates an emergency. Avoid rationing—do your part—don't waste—buy intelligently—and don't be a hoarder!"

"Hoarding brings on scarcity—which we are all trying to avoid! Millions of people cannot afford to build up reserves of supplies during wartimes. Let us all cooperate, endure mild deprivations, and do our part in winning this war. Don't hoard—be a real American!"

"Don't have the Axis pin a distinguished service medal on you! Be a real American citizen and don't try to get an edge on your neighbor by hoarding. We're all in this war together. Cooperate, don't hoard, and be a real American!"

NETWORKS TO APPEAL

On February 20, the United States District Court for the Southern District of New York ruled against the networks in their suit against the Government. The decision was not on the merits of the case—the powers of the FCC—but on the question of the court's jurisdiction. CBS and NBC wired affiliates that they will appeal immediately to the United States Supreme Court.

A divided court, sitting as a special statutory three-judge court, dismissed the complaints of CBS, NBC, Woodmen of the World and Stromberg-Carlson for lack of jurisdiction either as a court of three judges or of one. In deciding that the "network regulations" in question are not an "order" within the meaning of Section 402(a) of the Communications Act, the majority opinion, written by Learned Hand, C. J., and in which Judge Goddard concurred, indicated that the plaintiffs' remedy should be sought on renewal of station licenses by appeal to the Court of Appeals for the District of Columbia under Section 402(b)(2) of the Act.

The majority, in holding that the network regulations have no present effect but are merely a declaration of Commission policy to be applied in the future, said in part:

"We have seen, however, that the regulations are nothing more than a declaration—or if one chooses, a threat—by the Commission that it will impose those conditions upon any renewal of a license in the future. No change is made in the status of 'affiliates' meanwhile; their existing contracts with the 'networks' remain enforceable; nor has the Commission given any evidence of an intention to use them as the basis for a revocation of existing licenses under §312 (a). On the contrary, the 'minute' we have mentioned commits it to a contrary course. Hence, if these actions well lie, the plaintiffs have succeeded in substituting a different court and a different procedure from that which Congress has prescribed for the trial of precisely the same issues. This is inexorably true because here the only question is whether the Commission has power to impose the conditions mentioned in the regulations when a 'station' applies for renewal; exactly the question which will determine the actual renewal of a license. The prescribed procedure will therefore be disregarded only because the punative wrong is merely threatened, instead of being in the very act of commission. Whatever may ordinarily be the proper scope of the word 'order' in the Act of October 22, 1913 (38 St. L. 219), it seems to us clear that Congress could not have intended such an anomalous result as will follow upon treating these particular regulations as such 'order'."

In a strongly worded dissent, Judge Bright voiced his opinion that the regulations are a final "order", within the meaning of Section 402(a), which the court has jurisdiction to enjoin. In this connection he said:

"It is suggested that the plaintiffs must wait until the Commission has ruled upon the application of a broadcasting station for a renewal of its license. Can it be said that the Commission will change its rules, in view of the positive statement it has already made with reference thereto and above quoted? Must these networks await the idle ceremony of a denial of a license before any relief can be sought when it is perfectly obvious that no relief will be given? And what relief could they get if they did wait? The networks are not to be licensed, only the individual stations who make application. But it is said the networks could intervene and be heard. All that might be said or urged in their behalf has doubtless been communicated to the Commission in the three years between March 18, 1938, and May 2, 1941, when the investigation was going on. Must they march up the hill and down again, with the probability of being met with the statement that the Commission has given the matter due consideration and has done what it intends to abide by, as it has definitely said in its report? It is said, however, that by a minute adopted after these actions were brought, the Commission has manifested its intention to permit the networks to intervene and be heard upon the subject of the granting or denial of the license. That minute refers obviously only to a station, and insofar as it attempts to change the nature of the order sought to be reviewed or to obviate a review would be abortive."

We print the opinion in full:

L. HAND. C.J.: These actions were brought to declare invalid and set aside certain regulations originally promulgated by the Federal Communications Commission on May 2, 1941, and amended on October 11, 1941; in their final form they appear at the end of this opinion. After the actions were filed the Commission, on October 31, 1941, promulgated a further regulation in the form of a "minute", also appearing at the end of the opinion. Preparatory to the issuance of the regulations the Commission had held hearings at which nearly 9,000 pages of testimony were taken; among others whom it had invited to attend, were the two plaintiff "networks", which accepted and took part by introducing extensive evidence. When the regulations appeared, the "networks" brought the two actions at bar under §402 (a) of Title 47, U. S. Code, to set them aside as beyond the powers of the Commission and as arbitrary, unreasonable and without basis in the evidence. Upon the complaints so filed and voluminous affidavits they then moved for a preliminary injunction against their enforcement pendente lite. In the action brought by the National Broadcasting Company, two "affiliated stations" have joined as parties plaintiff and the United States and the Commission were originally joined as defendants; in the action brought by the Columbia Broadcasting System it alone is plaintiff and the United States is the only defendant, but the Commission later intervened. A third "network", the Mutual Broadcasting System, intervened as a defendant in both actions. The United States and the Commission have countered the plaintiffs' motions by motions, made before answer, to dismiss the complaints for lack of jurisdiction over the subject-matter under Rule 12 (b)(1), and for summary judgment under Rule 56 (b). The Mutual Broadcasting System has answered and joined in the motions of the other defendants. All these motions having come on before Judge Goddard, he assembled a court composed of three judges, to whom the hearing was transferred in accordance with the Act of October 22, 1913 (38 St. L. 219).

Since we are deciding that the District Court for the Southern District of New York has no jurisdiction over the subject-matter of the actions either as a court of three judges or of one, it will not be necessary to consider the merits; nevertheless we must say something about the background of the regulations in order to make our discussion intelligible. The business of broadcasting depends for its support principally, if not altogether, upon advertising. The broadcasting is done by "stations", each "station" selecting programs which it thinks will be popular, either spoken, sung or instrumentally performed in its own studio, or relayed to it by a "network" as will appear. Interjected among these programs, occur those fervid importunities of advertisers, upon the results of which the "station" must depend for its revenue. A single "station" dependent upon its own programs alone would be very expensive to operate, and its income would be small; especially if, as has become customary, it were to add to its advertising programs what are called "sustaining programs", which are not paid for, but which are thought to give a general popularity to the "station". These circumstances have long since resulted in the creation of "networks" of the kind with which the actions at bar are concerned; that is to say, in a widespread system of contracts of a single company with separate "stations" scattered all over the Union and known as "affiliates". The plaintiffs, National Broadcasting Company and the Columbia Broadcasting System, are two such "networks"; they own and operate broadcasting "stations" of their own, but, although they depend in part upon these as outlets, their principal reliance is upon their "affiliates". They originate a great variety of programs—usually in a studio of one of their owned "stations"—which they transmit by telephone to the "affiliates" for broadcasting. The audience of such a "network" in this way becomes the aggregate of the audiences of its "affiliated stations", and this enables it to charge so much higher prices for advertising than the "affiliates" could charge alone, that both they and the "network" can divide the returns to their common advantage. There are four such national "networks", two owned by the National Broadcasting Company (one of which we are told it has disposed of since these actions were begun), another by the Columbia Broadcasting System, and the fourth by the Mutual Broadcasting System, which has intervened because it feels itself aggrieved by the practices against which the regulations in suit were directed.

Every broadcasting "station" must have a license and the Federal Communications Commission alone has power to grant, refuse, revoke, renew or modify licenses. The Commission also has "authority to make special regulations applicable to radio stations engaged in chain broadcasting." §303 (i). By virtue of these powers it assumed to promulgate the regulations now challenged, all of which, it will be observed, are no more than declarations of the conditions upon which the Commission will in the future issue licenses to "stations". The defendants' motions to dismiss the complaints are based upon the theory that these regulations are not "orders" within the meaning of §402 (a), and that therefore this court has no jurisdiction over them; indeed, that they are not "orders" of any sort, but merely announcements of the course which it will pursue in the future, whenever an "affiliated station" applies for a new license, or for the renewal of an existing one. To this the "networks" reply that the regulations had an immediate effect; that they not only announced what would be the future practice of the Commission, but presently adjudicated the invalidity of the contracts between themselves and their "affiliates"; and that they have in fact already caused serious losses, because a number of "affiliates" have declared that they will be obliged to break their contracts when their licenses are renewed, and have thus made it impossible for the "networks" to accept large and valuable advertising contracts.

We do not think that we need commit ourselves generally as to what "orders" are reviewable under the Act of October 22, 1913 (38 St. L. 219), which §402 (a) of Title 47, U. S. Code, incorporated by reference as the measure of our jurisdiction. So far as we have found, the Supreme Court has never declared that that statute authorizes review of any decision of an administrative tribunal which neither directs anyone to do anything, nor finally adjudicates a fact to exist upon which some right or duty immediately depends. We agree that it is no answer that the decision challenged is "legislative" in character (The Chicago Junction Case, 264 U. S. 258, 263), and, as we have just implied, it is enough if it authoritatively determines the existence of a fact that at once sets in execution some sanction, though the decision itself be not in form a command. United States v. Baltimore & Ohio Railroad, 293 U. S. 454; Powell v. United States, 300 U. S. 276; Rochester Telephone Corporation v. United States, 307 U. S. 125; American Federation of Labor v. National Labor Relations Board, 308 U. S. 401, 408. (Colorado v. United States, 271 U. S. 153; Claiborne-Annapolis Ferry Co. v. United States, 285 U. S. 383; and United States v. Idaho, 298 U. S. 105, though they are of the same kind, are scarcely controlling, because they turned upon §1(20) of the Interstate Commerce Act.) But decisions which are no more than announcements of future administrative action have never, so far as we can find, been treated as within this statute. That does not necessarily imply that a person presently injured is without any remedy when the threatened action would be unlawful; the situation then may present all the elements upon which equity will intervene in ordinary course. Shields v. Utah Idaho Central Railroad Company, 305 U. S. 177. It may be that the plaintiffs at bar could bring such actions in equity; at least it does not appear that recourse to them is positively forbidden, as was for example the case in Venner v. Michigan Central, 271 U. S. 127. But even so they would not be the actions at bar, which can be brought only under the statute, since otherwise the United States cannot be sued, or the Commission sued in this district, assuming that it was in any event possible to join it at all. Such actions would have to depend jurisdictionally upon the same facts as any other action against a public officer who threatens to do an unlawful act.

We should therefore have a great deal of doubt whether the regulations could in any view be regarded as "orders" which we could review under the Act of October 22, 1913 (38 St. L. 219), if the case came to us under the statute in vacuo. It does not, because, although, as we have said, §402 (a) incorporates it by reference, those orders are excepted which are mentioned in the parentheses: to wit, all orders "granting or refusing an application for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license." Relief from such orders is provided in §402 (b), (c), (d), (e) and (f); it is by appeal to the Court of Appeals of the District of Columbia, and it is to be heard upon the record made at the hearing of an application by the Commission. The procedure upon such appeals is in substance the same as that which has now become standard for the review of the decisions of administrative tribunals in adversary proceedings. Consequently, if any of the "affiliates" of the plaintiff "networks" should hereafter apply for a renewal of their licenses; and if, as we assume it will, the Commission adheres to its regulations, the resulting modification of the license will be reviewable only in the Court of Appeals of the District and upon the record made at that hearing. We have seen, however, that the regulations are nothing more than a declaration—or if one chooses, a threat—by the Commission that it will impose those conditions upon any renewal of a license in the future. No change is made in the status of "affiliates" meanwhile; their existing contracts with the "networks" remain enforceable; nor has the Commission given any evidence of an intention to use them as the basis for a revocation of existing licenses under §312 (a). On the contrary, the "minute" we have mentioned commits it to a contrary course. Hence, if these actions well lie, the plaintiffs have succeeded in substituting a different court and a different procedure from that which Congress has prescribed for the trial of precisely the same issues. This is inexorably true because here the only question is whether the Commission has power to impose the conditions mentioned in the regulations when a "station" applies for renewal; exactly the question which will determine the actual renewal of a license. The prescribed procedure will therefore be disregarded only because the punative wrong is merely threatened, instead of being in the very act of commission. Whatever may ordinarily be the proper scope of the word "order" in the Act of October 22, 1913 (38 St. L. 219), it seems to us clear that Congress could not have intended such an anomalous result as will follow upon treating these particular regulations as such "orders".

To this the plaintiffs make two answers. First, they say that the threat itself has already caused them loss, as we have said. Possibly that might support an action to compel the Commission to raise the issues immediately, as by a revocation proceeding under §312 (a); even so, it should not substitute another court for the Commission and the Court of Appeals, certainly not this court in an action against the United States and the Commission. We need not decide the point, however, because the "minute" we have quoted offers equivalent relief without risk to any "station" which may challenge the regulations. Next, the plaintiffs say that they may not be able to raise the issue in a proceeding for the renewal of a license, because the "affiliated stations" may fear to incur the Commission's displeasure. As to the National Broadcasting Company this is plainly untrue because two of its "affiliates" have joined it as plaintiffs. As to the Columbia Broadcasting System, its complaint, read most favorably, does perhaps allege that none of its "affiliates" will challenge the regulations when their licenses expire; at any rate, to avoid any doubts, we shall so assume, little as that seems likely to be the case. We may do so, because the issue is irrelevant anyway, for the plaintiff "networks" have an adequate remedy under §402 itself. They allege—and there seems to be no question about it—that their interest will be adversely affected by the enforcement of the regulations; if so, they can appeal to the Court of Appeals of the District from any order imposing unlawful conditions upon an "affiliate's" license. §402 (b) (2). It is true that the section does not in terms provide that they shall also be heard in the proceeding before the Commission under §309 (a) for the "renewal or modification of a station license;" but the Commission has itself answered that objection by §1.102 of its regulations which permits intervention. An unreasonable refusal of the privilege so offered would appear to be a good objection on appeal under §402 (b) (2); for it is not likely that the statute which grants an appeal to all interested parties, meant not to give them the opportunity to make a record on which they can succeed upon that appeal. At any rate until the Commission shows some disposition to deny them a fair hearing in a proceeding for renewal of an "affiliate's" license, we are not to assume that it will do so. And even if that should appear, the resulting right of action, if any, would not, as we have said, be in this court or against the United States. For the foregoing reasons the complaints will be dismissed for lack of jurisdiction over the subject-matter.

We do not understand that any findings of fact are proper under Rule 52(a), which provides for such findings only in "actions tried upon the facts without a jury." It is true that the plaintiffs have moved for a preliminary injunction, and that the rule also requires findings "in granting or refusing interlocutory injunctions;" but we are not "refusing" any injunction. Once the complaints are dismissed for lack of jurisdiction, the motions become moot and we shall not pass upon them at all. We are therefore entering judgment in each action without findings.

Complaints dismissed for lack of jurisdiction.

Learned Hand
Henry W. Goddard

BRIGHT, D.J.: As I read the opinion of my brothers, they would dismiss for want of jurisdiction because nothing reviewable has been done, and that even after a license is denied, the only review thereof would be by appeal to the Court of Appeals in the District of Columbia.

By Section 402-a of the Communications Act of 1934, we have jurisdiction to enjoin, set aside, annul or suspend an order of the Commission, except where it grants or refuses an application for a construction permit, for the granting, renewal or modification of a station license, or suspending a radio operator's license. These excepted matters can be reviewed only by appeal to the Court of Appeals aforesaid. This order, in my opinion, does not come within any of the excepted provisions. No application has been or is here made by any such relief, and the order sought to be reviewed does not arise out of any such application.

There is no question in my mind that the order sought to be reviewed is one which, under the terms of Section 402-a, we have jurisdiction to enjoin. It is designated by the defendants as a "commission order". It has the usual mandatory clauses found in orders. It was by its terms obviously entered after an investigation made upon the Commission's own motion to determine what special regulations applicable to radio stations engaged in chain or other broadcasting are required in the public interest, convenience or necessity. It promulgates certain regulations, an obvious and attempted exercise of the Commission's rule-making power. It is clearly an attempt to make rules because at the time there was nothing else before the Commission upon which it could or did act. All of these rules, or regulations as they are called in the order, relate only to standard broadcasting stations having contracts with a net work organization, except rule 3.106, which relates to a license to be granted to a net work organization having more than one station in a service area, and rule 3.107 which proscribes a broadcasting station affiliated with a net work maintaining more than one net work. These rules do not apply to stations not affiliated with any net work. They apply only to contractual relations with net works, and in addition, prohibit the ownership by a net work of more than one station in a specified service area and the ownership by any organization of more than one net work. The order fixes as immediately the time when it shall become effective. In other respects it has all the earmarks of a final order.

That it was intended to be final is further evidenced by the Commission's report. It finds that the public interest "requires" the application of the regulations to stations affiliated with regional as well as with national net works. It affirms its powers to do so under Section 303-(i) of the Communications Act, and clearly reveals that it is exercising its rule-making power when it queries whether the Commission can formulate into "general rules and regulations" the principles which it *intends* to apply in passing on individual applications. That its action is final is further emphasized by the statement, "We believe that the announcement of the principles we intend to apply in exercising our licensing power will expedite business and further the ends of justice. * * * The regulations we are now adopting are nothing more than the expression of the general policy *we will apply* in exercising our licensing power. The formulation of a regulation in general terms is an important aid to *consistency and predictability* and does not prejudice any rights of the applicant."

That it is exercising this rule-making power is further emphasized by another statement in its report, that Section 303-(i) gives the Commission specific power to make special regulations applying to radio stations engaged in chain broadcasting and that "no language could more clearly cover *what we are doing here.*"

What it has done emphasizes more the finality of its order, which is an affirmative direction that thereafter no standard broadcasting station shall contract in terms prohibited, and ultimately puts an end to service by net works under contracts now existing. In fact, I think that the regulations are intended to effect existing contracts for the effective date of the order is deferred until November 15th, 1941, "with respect to existing contracts, arrangements or understandings". This certainly is not a statement that the regulations shall not apply to existing contracts; it is merely a postponement as to when the axe will fall.

The particular agreements prohibited are presently contained in most of the affiliation contracts of the two complaining net works. They state those provisions are essential to the proper and successful conduct of their business, and in deciding the question of jurisdiction, I believe we must assume this to be true. It is also shown by them, without contradiction, that between the time the regulations were promulgated and the commencement of these actions, not less than twenty-four broadcasting stations having affiliation contracts with N.B.C. have cancelled their contracts as a result of the order in question, and not less than twenty-four others having such contracts, have served notice that they do not intend to abide by the terms of such contracts unless they are conformed to the Commission's order. Similarly, it is shown by the affidavits submitted by C.B.S. that some of the stations affiliated with it are refusing to renew their affiliation contracts, some are threatening to cancel or repudiate them, and some have already cancelled on the ground that the rules in question prohibit them. There is thus a present injury.

It is suggested that the plaintiffs must wait until the Commission has ruled upon the application of a broadcasting station for a renewal of its license. Can it be said that the Commission will change its rules, in view of the positive statement it has already made with reference thereto and above quoted? Must these net works await the idle ceremony of a denial of a license before any relief can be sought when it is perfectly obvious that no relief will be given? And what relief could they get if they did wait? The net works are not to be licensed, only the individual stations who make application. But it is said the net works could intervene and be heard. All that might be said or urged in their behalf has doubtless been communicated to the Commission in the three years between March 18, 1938, and May 2, 1941, when the investigation was going on. Must they march up the hill and down again, with the probability of being met with the statement that the Commission has given the matter due consideration and has done what it intends to abide by, as it has definitely said in its report? It is said, however, that by a minute adopted after these actions were brought, the Commission has manifested its intention to permit the net works to intervene and be heard upon the subject of the granting or denial of the license. That minute refers obviously only to a station, and insofar as it attempts to change the nature of the order sought to be reviewed or to obviate a review would be abortive. *Southern Pacific Co.* v. *Interstate Commerce Commission,* 219 U. S. 433-452. *Southern Pacific Terminal Co.* v. *Interstate Commerce Commission,* 219 U. S. 498-515.

This court has reviewed the rule-making power of this very Commission without being troubled by the question of jurisdiction. *A. T. & T. Co.* v. *U. S.,* 14 F. Supp. 121, affirmed 299 U. S. 232. That there can be a review of an order exercising the delegated legislative function of rate-making and rule-making is admitted in *U. S.* v. *Los Angeles R. R.,* 273 U. S. 299, 309. In *Interstate Commerce Commission* v. *Goodrich Transit Co.,* 224 U. S. 194, where bills were filed to enjoin orders prescribing methods of account, bookkeeping and reports, jurisdiction was not questioned in a court always jealous of its jurisdiction. In *Kansas City Southern Railway* v. *U. S.,* 231 U. S. 423, jurisdiction was again assumed of a petition to declare invalid and to enjoin regulations relative to accounting. In *Skinner & Eddy Corp.* v. *U. S.,* 249 U. S., 557-562, which involved a refusal of a suspension of a tariff, jurisdiction was assailed, at least until after a further remedy was sought; and it was there stated that where contention was made that the Commission had exceeded its statutory powers, courts have jurisdiction of suits to enjoin even if the plaintiff had not attempted to secure redress before the Commission. In the *Assigned Car Cases,* 274 U. S. 564, suits were brought to enjoin and annul an order which prescribed a rule governing the distribution of cars among coal mines after an investigation by the Interstate Commerce Commission of its own motion, and no question of right of review was raised. And in *A. F. of L.* v. *Labor Board,* 308 U. S. 401, 408, it was admitted that administrative determinations which are not commands may for all practical purposes, determine rights as effectively as the judgment of a court and may be re-examined by courts under particular statutes providing for the review of orders. In *Pierce* v. *Society of Sisters,* 268 U. S. 510, suit was brought by a private school to restrain the enforcement of an Oregon statute which required primary education in public schools, and jurisdiction was sustained, Mr. Justice McReynolds writing that the suits were not premature, that the injury to the plaintiffs was present and very real and not a mere possibility in the remote future.

Dated: February 20, 1942.

(S.) John Bright,
U. S. D. J.

STATE LEGISLATION

NEW YORK:

A. 984 (Ehrlich) CHILD LABOR—Prohibits employment of children under 16 years in theatrical performances, circuses, motion pictures, radio broadcast performances, except on amateur programs, without written consent of education board or officials. Referred to Committee on Education.

A. 1224 (Sullivan) KOSHER FOOD—FRAUDULENT ADVERTISING—Prohibits fraudulent advertising or sale of Kosher food and food products at retail stores or hotels and restaurants. Referred to Agricultural Committee.

S. 1034 (Mahoney) KOSHER FOOD—FRAUDULENT ADVERTISING—Prohibits fraudulent advertising or sale of Kosher food and food products at retail stores or hotels and restaurants. Referred to Committee on Agriculture.

FEDERAL COMMUNICATIONS COMMISSION

AMATEUR OPERATOR LICENSING

The Federal Communications Commission, at the request of the War and Navy Departments, has resumed the issuance of new amateur radio operator licenses.

The Commission is advised that the classification of men for Navy and Army radio duty is facilitated greatly if such persons who are qualified to hold a radio operator license are in a position to verify this fact by exhibiting their license.

When cessation of amateur station operators was ordered following the outbreak of the war, the Commission followed a policy of not issuing any new amateur operator licenses or amateur station licenses, although examinations for the former have continued to be conducted. As a result, there are approximately 1500 applicants who have successfully completed the examination for operator's license and have complied with the provisions of Commission Order No. 75 (proof of U. S. citizenship) and are now qualified to receive new operator licenses.

FCC ORDER NO. 91 (Operators)

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C. on the 17th day of February, 1942;

The Commission having under consideration the request of the Defense Communications Board that the Commission consider relaxation of its rules and regulations governing the requirements for operators of broadcast stations; and

IT APPEARING that the demand of the military services for operators holding radiotelephone first class licenses has increased as a result of the war, and that such demand has decreased the number of operators qualified for operation of broadcast stations, resulting in a shortage of such operators;

IT IS ORDERED that until further order of the Commission a broadcast station of any class, which by reason of actual inability to secure the services of an operator or operators of the proper class could not otherwise be operated, may be operated by holders of radiotelegraph first or second class operator licenses, or radiotelephone second class operator licenses, notwithstanding the provisions of Section 13.61, paragraphs a, c(1) and d(1) of the Commission's Rules and Regulations Governing Commercial Radio Operators;

PROVIDED, HOWEVER, that these classes of operator licenses shall be valid for the operation of broadcast stations upon the condition that one or more first class radiotelephone operators are employed who shall be responsible at all times for the technical operation of the station and shall make all adjustments of the transmitting equipment other than minor adjustments which normally are needed in the daily operation of the station;

PROVIDED FURTHER, that nothing contained herein shall be construed to relieve a station licensee of responsibility for operation of the station in exact accordance with the Rules and Regulations of the Commission; and

PROVIDED FURTHER, that Section 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators shall remain in full force and effect except as modified by this Order.

BY THE COMMISSION,
T. J. Slowie, Secretary.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 2. They are subject to change.

Monday, March 2

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—C. P., **1070 kc.,** 50 KW, unlimited, DA-night.

Thursday, March 5

Consolidated Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.,** 250 watts, unlimited.

NEW—Paul Forman Godley, Newark, N. J.—C. P., **1230 kc.,** 250 watts, unlimited.

Friday, March 6

Consolidated Hearing

NEW—Beauford H. Jester, Waco, Texas.—C. P., **1230 kc.,** 250 watts, unlimited.

NEW—Roy Branham Albaugh, Waco, Texas.—C. P., **1230 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Granted petition to reconsider and grant application for modification of construction permit to increase power to 5 KW, move transmitter site, install new transmitter, and make changes in directional antenna. WSJS now operates on **600 kc.,** with 1 KW power.

KGKO—KGKO Broadcasting Co., Fort Worth, Texas.—Granted modification (B3-MP-1484) of construction permit (B3-P-2571) as modified, for changes in directional antenna for night use.

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted consent to transfer of control of station WLOL from John P. Devaney to Charles J. Winton, Jr., and David J. Winton, for a consideration of $21,500 (B4-TC-283).

H. Ross Perkins and J. Eric Williams, d/b as The New Haven Broadcasters, New Haven, Conn.—Granted motion to dismiss petition for reconsideration directed against the Commission's action of December 23, 1941, granting the application of Arthur Faske, WCNW, Brooklyn, N. Y. (B1-P-3151), to change frequency to **1190 kc.,** increase power to 1 KW, and change hours of operation to limited, subject to proof of performance, and dismissed said petition.

KPMC—Pioneer Mercantile Co., Bakersfield, Calif.—Granted petition for reconsideration and grant without hearing application for construction permit insofar as authority is requested to change frequency from **1600 kc.** to **1560 kc.**

Amarillo Broadcasting Corp., Amarillo, Texas.—Granted construction permit (B3-PH-49) for new station to operate on **45100 kc.,** with a service area of 5600 square miles, on a temporary basis in accordance with Section 3.223(b).

DESIGNATED FOR HEARING

The McKeesport Broadcasting Co., Inc., McKeesport, Pa.—Designated for hearing application (B2-P-3324) for new station to operate on **730 kc.,** 1 KW, daytime.

Albert S. & Robert A. Drohlich, d/b as Drohlich Bros., Jefferson City, Mo.—Designated for hearing application for construction permit (B4-P-3315) for new station to operate on **800 kc.,** 1 KW, daytime. Exact site to be determined, subject to Commission's approval.

W47NY—Muzak Corp. (assignor), Muzak Radio Broadcasting Stations, Inc. (assignee), New York, N. Y.—Designated for hearing application for consent of assignment of construction permit (B1-APH-2) for high frequency broadcast station W47NY, from Muzak Corp. to Muzak Radio Broadcasting Stations, Inc.

WHFC, Inc., Chicago, Ill.—Designated for hearing application for construction permit (B4-PH-36) for new station.

The American Network, Inc., New York, N. Y.—Designated for consolidated hearing (to be heard with 7 New York area applicants for new stations), application for construction permit for new station (B1-PH-124).

ACTION ON DOCKET CASE

The Commission announced adoption of final order (B-143) granting a construction permit to Western Gateway Broadcasting Corporation for a new broadcast station at Schenectady, N. Y., to operate on 1240 kilocycles with power of 250 watts, unlimited time, and denying an application by Van Curler Broadcasting Corporation for the same facilities.

LICENSE RENEWALS

Licenses for the following stations were renewed for the period ending April 1, 1944:

KFVD, Los Angeles, Calif.; WIBC (auxiliary), Indianapolis, Ind.; WJSV, Washington, D. C.

Licenses for the following were renewed for the period ending October 1, 1943:

KATE, Albert Lea, Minn., and WKEU, Griffin, Ga.

KVWC—Northwestern Broadcasting Co., Vernon, Texas.—Granted renewal of license for the period ending December 1, 1943.

WFTC—Jonas Weiland, Kinston, N. C.—Granted renewal of license for the period ending October 1, 1942.

WNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Granted renewal for main and auxiliary transmitter for the period ending February 1, 1944.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending April 1, 1942:

KFJB, Marshalltown, Iowa; WBRB, Red Bank, N. J.; WCBT, Roanoke Rapids, N. C.; WJMA, Covington, Va.; KXL, Portland, Ore.; KFBI, Wichita, Kans.; WHCU, Ithaca, N. Y.; WMEX, Boston, Mass.; WKBW, Buffalo; WLW, Cincinnati; WOWO, Ft. Wayne, Ind.; KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KGIW, Alamosa, Colo.; KGKL, San Angelo, Texas; KPLT, Paris, Texas; KRBC, Abilene, Texas; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KVRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; WBNY, Buffalo, N. Y.; WMFJ, Daytona Beach, Fla.; WRJN, Racine, Wisc.; WSPB, Sarasota, Fla.; KFGQ, Boone, Iowa; KITE, Kansas City, Mo.; WFPG, Atlantic City; WGCM, Gulfport, Miss.; WGNC, Gastonia, N. C.; WGRM, Greenwood, Miss.; WKBV, Richmond, Ind.; WMAN, Mansfield, Ohio; WMIS, Natchez, Miss.; WORK, York, Pa.; KGGF, Coffeyville, Kans.; KMPC and auxiliary, Beverly Hills, Calif.; KWKH, Shreveport, La., and WCAL, Northfield, Minn.

Licenses for the following experimental television broadcast stations were renewed for the period ending February 1, 1943:

W2XAB, New York City; W2XVT, Passaic, N. J.; W2XWV, New York City; W3XE, Philadelphia, Pa.; W9XBT, Portable-Mobile, area of Chicago; W10XKT, Portable-Mobile, area of New York City.

W3XP—Philco Radio & Television Corp., Portable-Mobile, area of Philadelphia, Pa.—Further extended upon a temporary basis only, pending determination upon application for renewal the license for experimental television broadcast station for the period ending April 1, 1942.

W9XUI—State University of Iowa, Iowa City, Iowa.—Further extended upon a temporary basis only, pending determination upon application for renewal the license for experimental television broadcast station for the period ending April 1, 1942.

Granted extension of license upon a temporary basis only, pending receipt and/or determination upon the applications for renewal of licenses, in no event later than April 1, 1942, of following:

W2XWE, Albany, N. Y.; W9XUM, Columbus, Ohio; W9XZY, St. Louis, Mo.

W9XWT—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted renewal of facsimile broadcast station license for the period March 1, 1942, to March 1, 1943.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than April 1, 1942.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than April 1, 1942.

MISCELLANEOUS

Charleston Broadcasting Co., area of Charleston, W. Va.—Granted construction permit for new relay station; **1622, 2058, 2150, 2790 kc.,** 250 watts (B2-PRY-270).

WAOB—National Broadcasting Co., Inc., Port Washington, N. Y.—Granted license to cover construction permit which authorized changes in equipment and move of transmitter of relay broadcast station (B1-LRY-252).

WLBC—Donald A. Burton, Muncie, Ind.—Granted modification of license for move of studio from 125 South Walnut St., Muncie, Ind., to new transmitter site, south of City of Muncie (B4-ML-1110).

The Associated Broadcasters, Inc., Portable-Mobile, area of San Francisco, Calif.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.,** 50 watts (B5-PRY-267).

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted license to cover construction permit which authorized installation of directional antenna for night use, change in hours of operation, change in frequency and move of transmitter (B4-L-1544); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1270).

KFUN—Southwest Broadcasters, Inc., Las Vegas, N. Mex.—Granted license to cover construction permit for new station (B5-L-1598); granted authority to determine operating power by direct measurement (B5-Z-1331).

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Granted modification of construction permit, as modified and which authorized new television station, for extension of commencement and completion dates only, from June 1, 1941, and January 1, 1942, to January 1, 1942, and July 1, 1942, respectively (B1-MPVB-65).

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit as modified and which authorized new television station, for expansion of completion date from January 28 to March 28, 1942 (B2-MPVB-67).

WKRO—Oscar C. Hirsch, Cairo, Ill.—Granted license to cover construction permit as modified for new station (B4-L-1592); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1329).

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Granted license to cover construction permit for changes in equipment (B5-L-1615).

WPRP—Julio M. Conesa, Ponce, P. R.—Upon consideration of motion for continuance filed by the applicant, continued hearings until April 22, 1942, in re applications for construction permit, modification of construction permit, and renewal of license (Docket Nos. 5678, 6107 and 6105).

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Granted construction permit to install new transmitting equipment (B3-P-3461).

WEEU—Berks Broadcasting Co., Reading, Pa.—Granted motion for leave to amend application so as to specify a new directional antenna array and to continue hearing now set for March 3, 1942, for 90 days (Docket No. 6026).

WMIN—WMIN Broadcasting Co., St. Paul, Minn.—Granted motion to take depositions in re application for construction permit to operate on **630 kc.,** 1 KW night, 5 KW day, directional antenna night and day, unlimited time (Docket 6197).

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Granted request for leave to amend application for construction permit to specify a new site and a different transmitter.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted motion for 60 day continuance of hearing now scheduled for February 27, on application for construction permit to operate on **580 kc.,** 1 KW; DA-night, unlimited.

Herman Radner, Dearborn, Mich.—Granted extension to April 6, 1942, of motion to continue for 90 days the hearing now set for March 10, 1942, in re application for construction permit for new broadcast station to operate on **680 kc.,** 250 watts day, daytime (Docket No. 6220).

W2XVP—Municipal Broadcasting System, City of New York, N. Y.—At request of licensee, who has dismantled station, Commission cancelled license and deleted call signal.

Hawlay Broadcasting Co., Reading, Pa.—Placed in pending files pursuant to Order No. 79 application for construction permit for new station (B2-PH-121).

Meadville Tribune Broadcasting Co., Meadville, Pa.—Placed in pending files pursuant to Order No. 79, application for new station (B2-P-3366) to operate on **1340 kc.,** 250 watts; specified hours; all hours not used by WSAJ. Exact site and antenna system to be determined subject to Commission's approval.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Denied petition for reconsideration and grant of application for modification of license (Docket 6216) to change operating assignment from **1240** to **1230 kc.,** using present power of 250 watts, unlimited time.

Paul F. Godley, Newark, N. J.—Denied petition for reconsideration and grant of application for a new station to operate on **1230 kc.** with 250 watts power, unlimited time (Docket 6217). (Applications of WFAS and Paul F. Godley now set for consolidated hearing March 5.)

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Denied petition to grant application for construction permit (B4-P-2364) to change frequency from **1380** to **680 kc.,** and increase power from 1 KW night and 5 KW day to 25 KW night and 50 KW day, and to require KFEQ, St. Joseph, Mo., to change frequency from **680** to **1380 kc.,** or some other suitable frequency.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Denied request for special permission to eliminate transcription identification, as required by Sec. 3.407(c) of the Rules and Regulations, in connection with a particular daily broadcast.

APPLICATIONS FILED AT FCC

570 Kilocycles

KGKO—KGKO Broadcasting Co., Fort Worth, Tex.—License to cover construction permit (B3-P-2571) as modified, for changes in directional antenna for night use and increase in power.

KGKO—KGKO Broadcasting Co., Fort Worth, Tex.—Authority to determine operating power by direct method.

580 Kilocycles

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit to install a new transmitter, make changes in directional antenna system for nighttime use only, change frequency from **580** to **640 kc.,** increase power from 5 KW to 50 KW and move transmitter to 6 miles north of St. Albans, W. Va. Amended: re antenna.

WIAC—Enrique Abarca Sanfeliz, San Juan, P. R.—License to cover construction permit (B-P-2136) as modified, for a new broadcast station.

WIAC—Enrique Abarca Sanfeliz, San Juan, P. R.—Authority to determine operating power by direct measurement.

610 Kilocycles

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit to increase power from 5 KW to 5 KW night, 10 KW day, and make changes in directional antenna system and transmitter.

620 Kilocycles

NEW—Donald Flamm, New York, N. Y.—Construction permit for a new broadcast station to be operated on **620 kc.,** 5 KW, unlimited time, using directional antenna day and night. Amended: to request move of transmitter site to near Moonachie, N. J.

630 Kilocycles

WLAP—American Broadcasting Corporation of Kentucky, Lexington, Ky.—Construction permit to increase power from 250 watts to 1 KW, using directional antenna night; install new transmitter and directional antenna and change frequency from **1450** to **610 kc.** Amended: to request **630 kc.** and use directional antenna day and night.

710 Kilocycles

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Modification of construction permit (B5-P-2804 as modified, which authorized increase in power, move of transmitter site, install new transmitter and directional antenna system for day and night use) for change in type of proposed transmitter, change towers of proposed directional antenna from self-supporting to guyed, and extend commencement and completion dates from 11-3-41 and 5-3-42 to 60 days after grant and 180 days thereafter.

920 Kilocycles

KFXJ—R. G. Howell and Charles J. Howell, d/b as Western Slope Broadcasting Co., Grand Junction, Colo.—License to cover construction permit (B5-P-3236) for increase in power, change frequency and changes in antenna and equipment.

KFXJ—R. G. Howell and Charles J. Howell, d/b as Western Slope Broadcasting Co., Grand Junction, Colo.—Authority to determine operating power by direct method.

940 Kilocycles

NEW—Jayhawker Broadcasting Co., Inc., Topeka, Kans.—Construction permit for a new broadcast station to be operated on **940 kc.,** 1 KW, unlimited time, using directional antenna.

960 Kilocycles

KMA—May Broadcasting Co., Shenandoah, Iowa.—Construction permit to install directional antenna for night use, increase power from 1 KW night and 5 KW day to 5 KW day and night. Amended: to make changes in proposed directional antenna system.

980 Kilocycles

WGBG—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—License to cover construction permit (B3-P-2472) as modified, for a new broadcast station and for approval of studio site.

WGBG—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—Authority to determine operating power by direct method.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of Special Service Authorization to operate on **770 kc.,** with power of 25 KW night and 50 KW day, unlimited time, using transmitter authorized under construction permit (B5-P-2783); for period 3-10-42 to 9-10-42.

1110 Kilocycles

KFAB—KFAB Broadcasting Co., Omaha, Nebr.—Construction permit to install new transmitter and directional antenna for night use, change frequency from **780** to **1110 kc.,** power from 10 to 50 KW, hours from simultaneous day, share WBBM night to unlimited time and move transmitter. Amended: to move studio to Omaha Natl. Bank Bldg., Omaha, move transmitter to RFD near Papillion, Nebr., changes in directional antenna and change type of transmitter proposed.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—License to cover construction permit (B5-SSA-14) which authorized a new station using 5 KW.

1170 Kilocycles

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Extension of Special Service Authorization to operate unlimited time, with power of 25 KW night, 50 KW day, using directional antenna at night, for period ending 4-1-44.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Modification of construction permit (B3-P-2539) which authorized increase in power, change in hours of operation, install new transmitter and directional antenna for night use, requesting extension of completion date from 4-5-42 to 10-5-42.

1200 Kilocycles

NEW—H. Ross Perkins and J. Eric Williams, d/b as New Haven Broadcasters, New Haven, Conn.—Construction permit for a new broadcast station to be operated on **1200 kc.,** 1 KW, daytime hours. Amended: to request **1170 kc.** and change type of antenna.

1230 Kilocycles

WJNO—WJNO, Inc., West Palm Beach, Fla.—Construction permit to change frequency from **1230** to **1430 kc.,** increase power from 250 watts to 1 KW, install new transmitter and make changes in antenna. Amended: to omit request for changes in antenna.

KXO—Valradio, Inc., El Centro, Calif.—Construction permit to change frequency from **1490** to **1230 kc.,** increase power from 100 to 250 watts, install new transmitter and antenna system and move transmitter and studio.

NEW—Raymond C. Hammett, Talladega, Ala.—Construction permit for a new broadcast station to be operated on **1230 kc.,** 250 watts, unlimited time. Amended: re engineering data.

1260 Kilocycles

KGGM—New Mexico Broadcasting Co., Inc., Albuquerque, N. Mex.—Construction permit to install new transmitter, move transmitter, change frequency from **1260** to **590 kc.,** increase power from 1 KW to 5 KW and install directional antenna system for night use. Amended: to reduce requested power from 5 KW to 1 KW night, 5 KW day and make changes in directional antenna system for night use.

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100, which authorized increase in night power and installation of directional antenna system for day and night use) for extension of completion date from 3-16-42 to 5-16-42.

1300 Kilocycles

KOL—Seattle Broadcasting Co., Seattle, Wash.—Modification of construction permit (B5-P-3030) as modified and which authorized installation of directional antenna system for day and night use and increase in power, for extension of completion date from 3-1-42 to 6-1-42.

1400 Kilocycles

WCOS—Carolina Advertising Corp., Columbia, S. C.—Voluntary assignment of license from Carolina Advertising Corporation to Carolina Broadcasting Corporation.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Construction permit to install a new transmitter.

1410 Kilocycles

WEGO—Wayne M. Nelson, Concord, N. C.—Modification of construction permit (B3-P-3007) for a new station, requesting approval of antenna system, authority to install different type of frequency monitor and approval of transmitter and studio sites.

1430 Kilocycles

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—License to use old main transmitter as auxiliary transmitter with 500 watts power, emergency use only.

1490 Kilocycles

KBON—MSB Broadcast Co., Omaha, Nebr.—Modification of construction permit (B4-P-2697) as modified for a new station, requesting change in corporate name to Inland Broadcasting Company.

WWSW—Walker & Downing Radio, Pittsburgh, Pa.—Authority to determine operating power by direct measurement.

FM APPLICATIONS

K61LA—Metro-Goldwyn-Mayer Studios, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PH-90, which authorized new high frequency broadcast station) for extension of commencement and completion dates from 9-16-41 and 3-16-42 to 3-16-42 and 9-16-42.

NEW—Mercer Broadcasting Co., Trenton, N. J.—Construction permit for a new high frequency broadcast station to be operated on **44700 kc.**; population: 544,000; coverage: 3,200 square miles. Amended: to request change in requested frequency from **44700 kc.** to **49900 kc.**

TELEVISION APPLICATION

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PCT-2) as modified, for a new commercial television broadcast station, requesting extension of completion date from 2-27-42 to 5-27-42.

MISCELLANEOUS APPLICATIONS

WIUC—University of Illinois, S. of Champaign, Ill.—Modification of construction permit (B4-PED-21) for a new noncommercial educational broadcast station, requesting extension of completion date from 3-16-42 to 7-16-42.

NEW—The Radio Voice of New Hampshire, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.,** 15 watts, Emission A3.

WQER—Georgia School of Technology, Mobile.—License to reinstate relay broadcast station license which expired 10-1-41.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

J. D. Fine Candy Company—A complaint has been issued charging J. D. Fine, trading as J. D. Fine Candy Co., 222 Northwest Fourth St., Oklahoma City, Okla., with selling to dealers assortments of candy so packed and assembled as to involve the use of lottery schemes when sold and distributed to consumers. Alleging that the respondent's practice is contrary to Federal Government policy and the Federal Trade Commission Act, the complaint grants the respondent 20 days for filing answer. (4709)

E. G. Hughes, Inc.—A complaint has been issued charging E. Griffiths Hughes, Inc., 26 Forbes St., Rochester, N. Y., with misrepresentation in connection with the sale of a drug known as "Kruschen Salts." (4711)

Nickeloid Company—A complaint has been issued charging American Nickeloid Co., Peru, Ill., with misrepresentation in the sale of prefinished plated metals which it manufactures. The respondent's products are described in the complaint as being suitable for decorative purposes and for use by metal fabricators in the manufacture of innumerable articles. (4713)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Battle Creek Drugs, Inc., Battle Creek, Mich., and Consolidated Royal Chemical Corp., 544 South Wells St., Chicago, have been ordered to cease and desist from the use of deceptive and misleading representations and advertisements in connection with the sale of "BonKora," a drug preparation advertised as a weight-reducing agent. Consolidated Royal Chemical Corp., trades as Consolidated Drug Trade Products and as BonKora Co. (4541)

Consumers Mercantile Service, 64 West Randolph St., Chicago, dealer in miscellaneous merchandise such as cameras, silverware, clocks, and pens, has been ordered to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. (4242)

Hardwood Institute—Twenty-one corporations manufacturing and producing hardwood lumber in northern Michigan and northern Wisconsin, and The Hardwood Institute of which they are members, have been ordered to cease and desist from entering into or carrying out any agreement or understanding that restricts or eliminates price competition in the sale of their products.

The order prohibits the Institute and the following respondent manufacturers from maintaining by concerted action a system of delivered prices which are made uniform through the use by the respondents of a common basing point at Wausau, Wis.:

The Antrim Iron Co., Grand Rapids, Mich.; The Bay de Noquet Co., Nahma, Mich.; The Bonifas Gorman Co., Chicago; The Brownlee Co., Detroit; The Edward Hines Lumber Co., Chicago; William Bonifas Lumber Co., Neenah, Wis.; Holt Lumber Co., Oconto, Wis.; Marathon Paper Mills Co., Wausau, Wis.; The Oconto Co., Oconto, Wis.; The Rib Lake Lumber Co., Rib Lake, Wis.; The Underwood Veneer Co., Wausau, Wis.; The Von Platen and Fox Co., Iron Mountain, Mich.; The M. J. Wallrich Land and Lumber So., Shawano, Wis.; Weidman Lumber Co., Trout Creek, Mich.; Roddis Lumber and Veneer Co., Marshfield, Wis.; Sawyer-Goodman Co., Marinette, Wis.; I. Stephenson Co., Wells, Mich.; Thunder Lake Lumber Co., Rhinelander, Wisc.; The Wisconsin Land and Lumber Co., Hermansville, Mich.; The Yawkey-Bissel Co., White Lake, Wis.; and The Yawkey-Alexander Lumber Co., Schofield, Wis.

The Commission dismissed the proceeding as to three corporations which have been dissolved, Kinzel Lumber Co., Merrill, Wis.; Menominee and Bay Shore Lumber Co., Soperton, Wis., and Northwestern Cooperage and Lumber Co., Gladstone, Mich., and as to A. L. Osborn, who was secretary-manager of The Hardwood Institute at Oshkosh, Wis., prior to his death in 1940. (3418)

Pacific Fruit & Produce Company.—Five Walla Walla, Wash., shippers of broad leaf spinach, a Minneapolis food brokerage company and its Chicago representative, and four Chicago jobbing concerns, have been ordered to cease and desist from carrying out a combination or conspiracy to eliminate competition or monopolize trade in the sale of the Walla Walla variety of broad leaf spinach, particularly that sold in the Chicago area.

The respondents are Pacific Fruit & Produce Co., Walla Walla Gardeners' Association, Mojonnier & Sons, Inc., Walla Walla Produce Co., and Ewing M. Stephens and Eugene Tausich, trading as Valley Fruit Co., all of Walla Walla, shippers; C. H. Robinson Co., Minneapolis, food broker, and Robert M. Steinberg, manager of its Chicago branch; LaMantia Brothers Arrigo Co., Owen T. Hill and Robert S. Hill, trading as Mark Owen & Co., John Plennert and John Mahoney, trading as P. & M. Distributing Co., and Arthur Applebaum, trading as Applebaum-Missner Co., all of Chicago, jobbers. (4487)

Pink Ointment Company—An order to cease and desist from misrepresenting the therapeutic properties of a medicinal preparation designated "Pink Ointment" has been issued against John B. Armstrong, M.D., trading as Pink Ointment Co., 521 Kansas Ave., Topeka, Kans. (4612)

Waldburger, Grant & Co., Inc., 20 West 37th St., New York, engaged in the sale of textile fabrics, stipulated that it will stop representing, through use of the word "Swiss" or any other term or symbol indicative of Swiss or other foreign origin, that its organdies or any other domestic products were made in or imported from Switzerland or any other foreign country. (3403)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Civil Service Institute—Rose L. Eberle, 1957 Eighth Ave., West, Seattle, Wash., formerly engaged in the sale of correspondence courses of instruction under the name American Civil Service Institute, has entered into a stipulation to cease using the words "Civil Service" and "Institute" as part of her trade name when actually she has had no connection with the United States Civil Service Commission and has not conducted an institute. (3396)

American Quilt Cover Manufacturers, Inc., 385 Broadway, New York, stipulated that in the sale of quilt covers it will cease and desist from the use on labels of the term "80 Square" as descriptive of the fabric of which the products are made, and from the use of such term or any similar expression in any manner, the effect of which tends or may tend to convey the belief that the fabric is composed of a designated number of threads or picks to the square inch, when actually the square inch thread count is other than indicated. The respondent company also stipulated that it will discontinue use of the term "Full Size" in any way so as to imply that the quilt covers so described are of a 72 by 84 inch size, as the term "Full Size" is understood in the trade. (3401)

Collins Durax Company—Engaged in the sale of granite blocks or slabs used in making monuments or memorials, Collins Durax Co., Inc., Salisbury, N. C., stipulated that it will cease and desist from representing, through use in advertising matter of the word "imperishable" or other words of similar meaning, that its products or the monuments or memorials made therefrom are everlasting or will endure forever. (3398)

Consolidated Staple Co., Inc., and Champion Fastener Corp., both located at 1810 Wilson Ave., Chicago, and operated by the same officers and directors, entered into a stipulation to discontinue certain representations in connection with the sale of staples of a design suitable for use in their stapling machines. According to the stipulation, the respondent corporations are in competition with sellers of such products as the so-called "Bostitch H2 Hammer Tacker" and "Bostitch Spring Crown Staples" for use in the Bostitch machine and known to the trade and consuming public by the identifying letters and numerals "SHCR-5019." (3406)

Dalmo Manufacturing Co., 511 Harrison St., San Francisco, and Tomlinson I. Moseley, president of the corporation, have entered into a stipulation to cease representing that the "Motodent Electric Tooth Brush" device sold by them is unexcelled for cleaning plates and dentures, removes or checks tartar, whitens the teeth, and removes irritants which cause trauma. (02947)

Farm Electric Manufacturing Co., R. R. 4, North Kansas City, Mo. (02950), and Guaranteed Products Corp., Wellington, Ohio (02951), engaged in the sale of electric fence controllers for confining livestock, entered into stipulations to discontinue certain representations in advertising their products. Farm Electric Manufacturing Company sells "Big Six Electric Fence Chargers" and Guaranteed Products Corporation sells electric fence controllers designated by such names as "Shox Stok," "Ever Best," "Felco" and "Tru Test." (02950-02951)

Fur Outlet Co., 1012 Chestnut St., Philadelphia, entered into a stipulation to cease and desist from designating any fur or fur garment in any manner other than by use of the correct name of the fur as the last name of the description thereof; and, when any dye, blend or process is used in simulating another fur, the true name of the fur appearing as the last name of the description shall be immediately preceded, in equally conspicuous type, by the word "dyed," "blended" or "processed" compounded with the name of the simulated fur. The respondent company also agreed to cease representing as the customary prices or values of its fur garments prices or values in excess of the prices at which such merchandise is regularly offered for sale in the normal course of business and to discontinue advertising or selling any used, worn or second-hand fur garment unless in each advertisement pertaining thereto and also by means of a label securely attached thereto, the fact be clearly indicated that such garment is used, worn or second-hand. (3402)

Gottesmen Bros. Company—A manufacturer of quilt covers, Samuel Gottesman, trading as Gottesman Bros. Co., 22 West 26th St., New York, stipulated to cease using the term "Eighty Square" on labels or other printed matter as descriptive of the fabric of which his quilt covers are made, and to discontinue employing that or any similar term in a manner implying that the fabric is composed of a designated number of threads or picks to the square inch, when actually the square inch thread count is other than that indicated. (3397)

Harlic Bag Co., Inc., South Norwalk, Conn., manufacturer of ladies' handbags, has agreed to discontinue using the term "Nuhyd" as a trade name, brand or label for handbags not made from hide or leather and to desist from use of the letters "hyd" or other simulation of the word "hide" and of the word "leather," either alone or with other words, to imply that a product so referred to is manufactured from leather or hide, when such is not a fact. (3404)

R. M. Hollingshead Corporation, Camden, N. J., distributor of household products, stipulated to cease advertising that its "Whiz Self-Polishing Floor Wax" is used by the Bell Telephone System, when such is not a fact; that its "Whiz Bed Bug Destroyer" is the most effective product of its kind ever developed; and that "Whiz No. 500 Pine Oil Disinfectant," when used as a spray, will revitalize or purify the air in a room. (02948)

J. Mackey & Son, Wallace B. Mackey, 26 Exchange Place, Jersey City, N. J., manufacturer of sports footwear, stipulated that, in the sale of shoes designated "Espadrille," he will discontinue use of the words "Ribbed Rope" as descriptive of the soles of the shoes, and use of the word "Rope" either alone or with the word "Ribbed" or with any other words to imply that the shoes have soles of rope or ribbed rope, when actually they are composed of other materials. (3407)

Penn Tobacco Co., Wilkes-Barre, Pa., manufacturer of tobacco products, has entered into a stipulation under which it agrees to discontinue representing that its "Kentucky Club" pipe tobacco smokes 25 percent cooler than other pipe tobaccos and never bites the tongue or stings. In advertising its cigarettes sold under the brand name "Juleps," it agrees to cease using the words "forget your cough" in any manner implying that the smoking of such cigarettes is a treatment or remedy for coughs.

Slade Gorton Co., 735 West Lake St., Chicago, wholesaler of frozen and smoked fish, stipulated that it will cease and desist from use of the word "perch," either alone or with the word "silversides" or "silver" in referring to fish, the effect of which tends or may tend to convey the belief that the fish so designated is perch or yellow perch. According to the stipulation, the fish advertised by the respondent as "perch" is known to the trade and consuming public as whiting. (3405)

E. R. Squibb & Sons, distributor of dentifrices, and Geyer, Cornell & Newell, Inc., an agency which prepares and disseminates advertisements for Squibb products, entered into a stipulation to discontinue certain representations in connection with the sale of "Squibb Dental Cream" and "Squibb Tooth Powder." The respondent corporations, both with offices at 745 Fifth Ave., New York, agree to cease representing that use alone of the dentifrices named contributes to a material degree to the prevention of tooth decay or that the milk of magnesia in such dentifrices is concentrated. (02949)

Whiteside Company—A. J. Whiteside, trading as Whiteside Co., Wilmington, Ohio, dealer in medicines, has entered into a stipulation to cease representing that any of his preparations known as "Jolo," "Liverine," "Bee Bee's," and "Ru-Ma-Sol" is a new, scientific, natural, or advanced medicine; that Jolo ends many forms of health troubles, has tonic action on the liver, quiets quivering nerves and relieves the system of colds; that Liverine enables the liver to function properly, cleanses the bloodstream or overcomes skin eruptions; that Bee Bee's is a genuine or proven medicine or a new or remarkable discovery for weakened kidneys or irritated bladder; and that Ru-Ma-Sol eliminates uric acid in the system, goes to the very source of rheumatism or is a competent treatment or effective remedy for underlying conditions indicated by such symptoms as rheumatic pains; swollen and stiffened fingers, hands, arms, feet, legs or joints; neuritis, sciatica, lumbago, and stomach pains. (3400)

Reports
NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 10, March 6, 1942

WE GOT A NEW JOB

The government has just handed radio the biggest selling job it has ever tackled. Here it is:

Sell the people the war production program.

Sell it, and sell it hard.

Sell it morning, noon and night.

Sell it until there is "sweat and action on the production line to match the blood and action on the battle line."

And we're not to say "tell us what to do and we'll do it." That's out the window, like "business as usual."

The government has given us an order. It's up to us to sell the goods.

We have the facilities. We have the time and talent. And, what's more, we know how to sell. If we can make people buy anything from baby food to tombstones, we surely can figure out a way to sell them on the idea of getting to work to save their own skins.

And if we don't—well, we all know what that means.

Reprinted in full on page 135 is Donald Nelson's radio talk of last Monday night. Read it. Get your program and news men to read it. Then get together and start figuring out what *you* can do about it.

Do some of those paragraphs give you any new ideas about how to emphasize certain news items? How about some effective spot announcements?

How about some "Billy Sunday" speakers to preach the Nelson gospel?

Are you intrigued by the "production score board" or "competition" angles? Is there a program possibility there?

Might there be a possibility of a program, or a series of programs, from your local Chamber of Commerce, or local labor leaders?

We'll have to bear in mind censorship regulations in connection with all of this. But, remember, the government says it's up to us to do this job. Nobody's going to do it for us.

This new job we've been handed doesn't mean that we can now quit selling bonds, enlisting soldiers or any of the other tasks we are already doing so well for the government. That work must go on.

This is something new. It's a real challenge to all of us. Let's show them just how good radio is. And let us know what you're doing. We want to pass your ideas along to other stations.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

Two Morale Shows

Member stations have suggested two programs which other broadcasters may find useful in building morale. Other suggestions are invited.

"Quizzing the Clubs"

J. B. Clark, program director, WDNC, Durham, N. C., suggests "Quizzing the Clubs", which is currently proving extremely popular over his station. Here's the format. One representative from each of eight civic clubs participate on each quiz. Questions are asked "on various and sundry topics, always working in some defense angle to reveal important facts about what we are doing in our all-out effort".

WDNC provides the prize money for each program which is converted into defense stamps. One 25¢ defense stamp is pasted in that civic club's album for each correct answer by the club's representative. If the question is answered incorrectly a 25¢ stamp is pasted in the jackpot album. When the jackpot album is filled it represents a $25 defense bond at maturity, and is awarded to the civic club having the largest number of stamps in its album. Sometimes it requires a period of a month to complete the jackpot album and to complete that series of "Quizzing the Clubs" programs. "The program," says Mr. Clark, "generates intense interest among the clubs and stimulates much comment."

"Meet the Soldier"

Bill Traum, director, news and promotion, WROK, Rockford, has responded to our suggestion for morale building program ideas with "Meet the Soldier". The program is not yet on the air but most of the details have been worked out. It is a 30-minute once a week evening show.

Plan is to tie up with local restaurant and theatre. Through Camp Grant officials we'd arrange for 4 or 5 soldiers to "dine out" at the restaurant, the latter, of course, supplying the dinner for the group. Program would be a remote from the cafe with the announcer interviewing each soldier at the dinner table. Soldiers with unusual or interesting civilian occupations and men who were outstanding in certain fields would be selected. At the conclusion of the program, each soldier would be given a ticket to the cooperating theater.

Program would serve to show listeners the various types of men in the Army; and we'd put in a strong appeal for local people to carry out the "hospitality" angle—to invite a soldier or two to their homes for dinner, or to a show.

RADIO'S WAR EFFORT

The 855 commercial stations operating in December, 1941, broadcast 320,000 announcements as a contribution to the war effort of the country. These announcements were carried in behalf of the Army, Navy, Marine Corps, Coast Guard and Civil Service in developing man-power; on behalf of the Treasury Department in soliciting war finances and in behalf of other agencies for the purpose of developing morale. This means that the average station broadcast 374 war effort announcements for the month, or better than ten announcements per day. In addition, 35,970 announcements were carried by stations for other government agencies not directly connected with war activity.

These announcements were given to the various government agencies as one of radio's many contributions to the war effort. Further contribution was given in the form of programs rendered by live talent and by transcription. Notable among these was the "Bill of Rights" broadcast December 15. This program was one hour in length, and was carried by 620 stations.

These figures are undoubtedly incomplete, since it is not supposed that they include all the announcements the commercial users of broadcast time have inserted in their advertising programs.

The above information was developed from a tabulation of the National Defense Broadcasts Reports submitted by stations to NAB for the month of December. The NAB Research Department tabulated the 455 station reports, and through scientific analysis, giving proper weights as to station classification, city size, geographic location, etc., projected totals for the industry. The complete analysis is given in the following table:

DEFENSE BROADCAST REPORT FOR DECEMBER 1941

		No. of Broadcasts
MANPOWER		
Army		
Aviation Cadets—thru NAB—live spots		10,990
Aviation Students “ “ “ “		8,880
Enlisted Specialists “ “ “		7,880
Various kinds of spots		21,890
	Total Spots	49,640
15 Minutes—et—direct		2,310
15 Minutes—live		130
10 Minutes		60
5 Minutes		20
30 Minutes		30
Navy		
Aviation Cadets—thru NAB—live spots		6,880
General Enlistments “ “ “ “		16,940
Reserves “ “ “ “		6,400
Various kinds of spots		21,370
	Total Spots	51,590
15 Minutes—et—direct		1,210
15 Minutes—live		30
10 Minutes—et		20
30 Minutes		20
Marine Corps	live spots	26,680
	15 Minutes—et	750
	15 Minutes—live	50
Coast Guard	spots	3,620
Manpower—U. S. Civil Service—thru NAB—live spots		22,800
	15 Minutes	240
	5 Minutes	130
DEFENSE FINANCING		
U. S. Treasury—direct—live spots		154,650
	15 Minutes—live	50
	10 Minutes	20
	30 Minutes	220
MORALE		
Bill of Rights Broadcast December 15—1 hour		620 stations
Civilian Defense Directive Spots to 320 stations in Coastal Areas—live spots		10,840

GOVT. AGENCY NOT DIRECTLY CONNECTED WITH NATIONAL DEFENSE

	No. of Broadcasts
live spots	29,550
et spots	6,420
Total Spots	35,970

30 Minutes—live	1,030	5 Minutes—live	960
30 Minutes—et	10	5 Minutes—et	220
35 Minutes—et	10	10 Minutes—live	140
45 Minutes—live	110	10 Minutes—et	10
60 Minutes—live	220	15 Minutes—live	3,190
65 Minutes—live	10	15 Minutes—et	1,690
75 Minutes—live	10	25 Minutes—et	20
		3¼ Hours	30

STATION ADVISORY COMMITTEE MEETS OFF OFFICIALS

Representatives of the Army, Navy and Treasury met with the OFF Station Advisory Committee Friday, February 27th, to consider better coordination of their radio activities. Those present were: William B. Lewis, Douglas Meservey, Philip Cohen, John Bird and John Faulk, of the OFF; Ed Kirby of the War Department; Jack Hartley, of the Navy Department; Vincent F. Callahan, of the Treasury Department; Neville Miller, NAB; John Shepard, BVC; Gene Pulliam, NAI; Edwin Spence, NIB; Edgar Bill, WMBD and William Fay, WHAM.

There was general discussion of how to increase the quality and decrease the quantity of present Government announcements. Confidence was expressed in the stations' determination to do the best job possible, one of the problems being how best to keep the objectives before the listening audience. Undoubtedly, the objectives to be stressed will be changed from time to time, and the OFF is working on plans to keep the stations advised of the objectives which should be stressed. Owing to the magnitude of the job, this "priority" schedule probably will not be completed until about April 1. At the present time, the Army is stressing the fact that the War is being carried on in all parts of the world, that we should be on our guard against foreign propaganda, that our allies are aiding us and deserve our full confidence, that it is a war of all the people, those in uniform and those on the farm and in the factories. Plans are now being worked out as to how the Army can best cooperate with advertisers.

It was announced that the Treasury Department had sold four and a half billion dollars of stamps and bonds to seven million people, and that it was hoped that thirty-three million new purchasers could be secured. In the future the emphasis will be placed on local campaigns.

General plans for coordinating the OFF's work with the stations were discussed in view of Mr. MacLeish's proposed talk. Stations are asked to report their reaction to Mr. MacLeish's talk with suggestions as to points they feel should be covered in future talks. The general question of the coordination of appeals for money was discussed and will be discussed further at future meetings.

NEW SURVEY FOR OFF

NAB and the Broadcasters' Victory Council are cooperating with the Office of Facts and Figures in tackling the problem of governmental use of broadcast time. In this connection, a communication was sent over the signatures of Neville Miller for NAB and John Shepard 3rd for BVC on March 4 to a scientifically selected representative sample of stations, asking cooperation in the matter of completing two questionnaires. The information sought is a complete record for the week beginning March 8 of the requests received from government agencies, quasi-government agencies and local groups in which free time is solicited for the manifest purpose of advancing our war effort. A tabulation is asked for each program or subject of each agency during the week, showing the number of broadcasts requested, the number of those broadcast during the week and also the number of broadcasts during the week as a result of requests received prior to the week.

In the second questionnaire, the stations are asked what their experience has been in handling such requests for broadcast time and for an expression of opinion as to the effect on the general public of present day radio war activity.

NAB is glad to join with the BVC in cooperating with the Office of Facts and Figures in its job of coordinating governmental use of broadcast time. The questionnaire was produced by the NAB Research Department in consultation with the research people of the Office of Facts and Figures. It is believed the survey will develop information of great value in approaching the problem of coordinating the use of broadcast time by government agencies in the best interests of the war effort, by maintaining a proper program balance and maximum audience.

HERE'S ONE WAY TO HELP

The Station Advisory Committee of the OFF meets every Friday for the purpose of discussing how the broadcaster may best serve the Government in the War program. Talks similar to the one made by Mr. MacLeish on Saturday may be made in the future from time to time. It would be extremely helpful to have the stations' reaction to such talks. Did Mr. MacLeish discuss the subjects in which you were most interested? Did he cover the points sufficiently in detail? What other points would you like discussed?

Neville Miller, NAB President, is a member of the Station Advisory Committee, and would appreciate your frank expressions of views, so that your reactions may be presented to the Committee at the Friday meetings.

Radio Training Courses

A knowledge of the importance of radio as a contributing element in winning the war is now rapidly fanning out from the top.

Announcement of the nation's two billion dollar radio apparatus manufacturing program automatically threw the personnel program into bold relief. It's realized that it takes MEN to operate this mass of equipment. Since the supply of qualified technicians has largely been absorbed, green men must be trained for the job.

The 20,000 people who are presently to be under training are but a drop in the bucket. This is reasserted here because the broadcasting industry is the only industry which can join educators and the personnel of the fighting forces in the teaching job.

Courses Still Being Approved

ESMDT is still engaged in processing the applications for radio technician training courses received from colleges and universities. When ESMDT offices were visited Wednesday desks and tables of examining specialists looked like the mail room of a broadcasting station; except that the envelopes were mostly 9" x 12" and filled to capacity with papers.

Over the top of his envelopes Dean Crothers explained that courses were still being processed. He mentioned approving courses for additional institutions not listed in NAB Reports of February 20.

Courses at institutions listed below have been approved since then. This is not all of the institutions to be approved. It is anticipated that another list will be ready by next week.

Alabama

Alabama Polytechnic Institute

California

University of California
University of Santa Clara
Stanford University (additional)

Colorado
University of Colorado
Florida
University of Florida (additional)
Georgia
Georgia School of Technology (additional)
Illinois
Illinois Institute of Technology
Northwestern University (additional)
Indiana
Purdue University (additional)
Louisiana
Louisiana State University
Maine
Bates College (additional)
Maryland
Johns Hopkins University (additional)
University of Maryland (additional)
Michigan
Wayne University (additional)
Mississippi
Mississippi State College
Montana
Montana State College
New Mexico
University of New Mexico
New York
Manhattan College
Ohio
Case School of Applied Science
Ohio Northern University
University of Toledo (additional)
Ohio University (additional)
Western Reserve University
Oklahoma
Oklahoma Agricultural and Mechanical College
University of Oklahoma (additional)
Oregon
Oregon State College
Pennsylvania
University of Pennsylvania
University of Pittsburgh (additional)
Haverford College (additional)
Tennessee
University of Tennessee
Texas
Agricultural & Mechanical College of Texas (additional)
Southern Methodist University
Texas Technological College
Utah
University of Utah
Virginia
Virginia Polytechnic Institute (additional)
Wisconsin
University of Wisconsin
District of Columbia
George Washington University

Lack of listing in no-wise slows up the teaching job. Once a course is approved it normally begins just as quickly as the educational institution can get it under way.

A. J. Fletcher, WRAL, Raleigh, Member-in-Charge Radio Technician Training Program, reported that 231 stations had received 59,349 replies to training course recruiting announcement up to the first of March.

Mosby Sponsors Course

Qualified applicants for the radio technician training course in Missoula, barred from training by lack of funds, are to have their training just the same. A. J. Mosby, manager, KGVO, has written that the station is starting a school for such people to begin within the next two weeks.

Montana State University

Montana State University's (Missoula) radio technician training course got under way February 23 with 42 students. Thirty others who applied for the course were not admitted because of lack of funds. Their training is to be provided in another course sponsored by A. J. Mosby, manager, KGVO.

J. H. Lampe, Dean of Engineering, the University of Connecticut, Storrs, State Coordinator, has submitted a summarization of radio interest and activity in the state as of February 28. "At the present time," he said, "we have a considerable number of applicants on our reserve list who are eligible for additional training when additional radio courses may be started."

Summary of Radio Training

Hartford:
Nine sections for 296 students started February 9.

New London:
Section with 45 students started February 23.

Bridgeport:
Course of two sections for not more than 70 students starts March 16.

New Haven and Waterbury:
Course of two sections for not more than 70 students starts March 23.

Granted that Bridgeport, New Haven and Waterbury courses start with the maximum number of students permitted, there will be a total of 481 students in training on March 23.

Marquette University

The Reverend Raphael C. McCarthy, S.J., president of Marquette University, Milwaukee, was in Washington this week. He reported that the University had arranged for ESMDT radio technician training course with 40 students and that it was planned to make use of some of the equipment owned and operated by the Milwaukee-Journal station, WTMJ.

University of Illinois

H. C. Roundtree, supervisor of engineering extension, University of Illinois, was in Washington for consultation last week. Upon his return he informed WROK, Rockford, that the radio courses for Rockford had been approved.

Twin Falls, Idaho

Radio technician training course with 45 qualified has been arranged for Twin Falls, Idaho, according to F. M. Gardner, manager, KTFI.

Two Courses in Plattsburg

Plattsburg, New York, has 90 students in two Radio Technician Training Courses. One is given at the Plattsburg State Normal School and one at the Plattsburg High School. Both are in cooperation with Clarkson College of Potsdan, according to George J. Bissell, head man, WMFF, Plattsburg.

San Bernardino

C. Lowell Smith, program director, KFXM, San Bernardino, proudly announces that "KFXM was the first radio station in Southern California to organize and get under way the government-sponsored Radio Technician Training Courses." He said that the campaign of recruiting was directed by Howard Haichly and that the course will be taught by two station engineers, Richard Sampson and George Ewing.

Ohio Wesleyan University

Harold J. Sheridan, Dean of the College, wrote that Ohio Wesleyan University is operating one radio technician school in Marion with 34 students and a Delaware county school with an enrollment of 23. Three university professors, Messrs. Jarvis, Woodbury, Hynek, are in charge of the work.

"We are happy to be able to make this contribution," said the Dean.

Kilgore—Texas

Sam Parker of the Department of Physics, Kilgore College, Kilgore, Texas, reports that the College is conducting two radio technician training classes, one full time days and the other at night. They are filled to capacity with 70 students.

Mr. Parker paid tribute to the assistance from radio station KOCA which "Has been the principal drawing power to our classes." In conclusion he said, "Let me assure you that we here at the College sincerely appreciate the work of the National Association of Broadcasters in this field and assure you that the fine spirit of Mr. Terry (Roy G.) and his staff is most commendable.

Manhattan College

Brother Amandus Leo, Dean of Engineering, Manhattan College, New York City, was among the visitors at headquarters Thursday. He reports that Manhattan has 12 courses in operation, six uptown and six downtown. The Dean is prepared to handle 750 additional students when, as and if, additional courses are O.K'd.

Sales

INSTALLMENT SALES DECREASING

A warning to radio sales departments is contained in "Domestic Commerce" for February 26, a bulletin of the U. S. Department of Commerce.

Under the title "Installment Sales Will Slump to Vanishing Point," the bulletin declares that retail installment business is expected to be hard hit by new orders for increased production of war materials.

"Roughly 90 per cent of retail installment sales result from consumer purchases of durable goods such as automobile and household equipment like refrigerators, washing machines, and radios. . . . Production for civilians must be severely curtailed for the duration; in some instances completely eliminated. The result will be a sharp decline of installment sales and a heavy liquidation of outstanding consumer installment debts, both on retail accounts and on cash loans made to finance retail purchases," the report states.

Obviously this type of radio advertiser will suffer, and radio salesmen are advised to suggest new services to the clients affected, or to seek sources of replacement revenue.

SALES AND COPY ANGLES

Reasons for retail advertising campaigns were offered by 11 U. S. Census Bureau statisticians before a meeting of 161 newspaper publishers held recently in Washington. Based on factors aiding local business, these were:

Laundries—shortage of washing machines and domestic help.
Restaurants—"eating out" because of the increase in women workers.
Public conveyances—limitations on the use of private automobiles.
Seed, fertilizer, and garden tool dealers—"Victory Gardens."
Savings banks—thrift to aid the war.
Commercial banks—safety deposit vaults for Defense Bonds.
Real estate men—purchase of farms to hedge against inflation.
Cigars, cigarette, jewelry—increased luxury spending because of high wages.

RETAIL SALES ADVANCE 16%

Sales of independent retailers were 16 per cent greater in January 1942 than during the same month of 1941, according to the U. S. Census Bureau. The record:

Kind of Business	*Percent change January 1942 vs. January 1941*
Food stores	+23
Eating and drinking places	+18
General stores (with foods)	+34
Filling stations	+16
Drug stores	+12
Department stores	+37
Dry goods and general merchandise	+38
Apparel stores	+43
Jewelry stores	+28
Motor-vehicle dealers	—55
Furniture stores	+18
Hardware stores	+38
Lumber-building materials dealers	+10

ARMY PROGRAMS SURVEYED

A survey of local army programs now being broadcast by stations throughout the country, both sponsored and un-sponsored, is being conducted by Capt. Edwin Curtin of the Radio Branch, Bureau of Public Relations, War Department, and will be available for release soon to NAB members.

The survey will list the titles of such programs with a brief description of each, and will designate the type of sponsors. With this information, more NAB member stations should be able to originate army shows suitable for local sponsorship.

One-time programs, such as special events, will not be listed, as the survey is limited to programs regularly scheduled. The study is being conducted through the public relations officers of various army camps. To make it more complete, stations now carrying such programs are invited to send details to the NAB Department of Broadcast Advertising. Information thus received will be added to Captain Curtin's report.

PER-INQUIRY AND FREE TIME

Howell, Soskin, Publishers, Inc., New York, seeks per-inquiry deals for its book "We Hold These Truths," a reprint of the dramatized script used in the Bill of Rights Day radio program.

A deliberate effort to promote per-inquiry deals was made last week by **H. C. Morris & Co.,** a New York advertising agency, in a general mailing to radio stations. NAB members, commenting critically on the proposal, questioned Mr. Morris' use of such phrases as: "Recently, a few stations who have never handled per-inquiry business before asked us if it were not possible to set up a plan whereby they could replace lost billing to allow them to profitably utilize their time . . ." and ". . . if, like so many other stations you are faced with decreased billing due to wartime conditions . . ." The NAB has asked Mr. Morris to substantiate such statements, pointing out that the industry's attitude has been steadily growing more stringent against per-inquiry deals, and that all evidence to date does not point to a "decrease in billing due to wartime conditions," but rather to an increase. Mr. Morris was also told that an "alarmist attitude" is anything but constructive in view of present conditions, when it is used as a screen to break down good business practices and standards of ethics. Typical of many replies by stations to the Morris proposal was one from John Shepard 3rd, president of the Colonial and Yankee networks and chairman of the Broadcasters'

Victory Council: ". . . Inasmuch as you ask for our opinion of your plan, we can only say we consider it the greatest possible detriment to the radio industry as encouragement to advertisers to request business on such a basis. For ourselves, we sincerely trust that you will not find it necessary to take the step which you are contemplating. . . ."

Free-time chisels continue to plague the industry, chiefly in the form of blurbs sent to "program directors" or "women's editors." Reported by NAB members this week were such attempts by:

Elliott & Nelson, New York, on behalf of **Cordurex** and the **Crompton-Richmond Co., Inc.**

Jean Talbot, New York, on behalf of **Colonial Drapery & Curtain Corp.**, plugging a booklet "Decorative Fabrics in Your Home."

Twentieth Century-Fox Film Corp., New York, on behalf of 15-minute "free" transcriptions featuring "Song of the Islands," a 20th Century-Fox film.

Helen Golby, New York, on behalf of **Revlon**, a cosmetic. Copy submitted in this case was so outright commercial that at first it was inconceivable that anyone would ask for its use on free time.

All have been invited by the NAB to use radio advertising on the proper basis.

FIRST RADIO CENSUS FIGURES AVAILABLE TO STATIONS

The U. S. Bureau of the Census last week released the first of the 1940 radio data in a second series Housing Census Bulletin for the state of Nevada. The report shows that 81.4% of the occupied dwelling units in the state were radio equipped. More specifically, the report shows that 26,200 or 81.4% of the 32,178 occupied dwelling units, for which the radio question was answered, reported having a radio. There were 1,113 units from which radio question answers were not obtained. Radio equipped units number 27,119 when the percentage is applied to all occupied dwelling units. NAB has undertaken the task of projecting total figures by county and offers them for use as official estimates. It is suggested that these be used in preference to the Census released figures which are incomplete.

The NAB Research Department consulted with Census officials on method of projecting total figures and the method employed has their approval.

As additional states' bulletins are released by the Census Bureau the NAB will publish projected figures in the "Reports".

Census officials stated this week that preliminary radio figures will be released for twenty-six states shortly. Detail of state totals of urban, rural-nonfarm and rural-farm will be given. As soon as this is available the figures will be projected and published in the "NAB Reports".

NEVADA

Number of Occupied Dwelling Units, Per Cent Radio Equipped and Number of Dwellings having Radios by County, and Cities of 2,500 or More Population—Urban, Rural-Nonfarm and Rural-farm: 1940*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Churchill	1.562	78.0	1.218				849	77.5	658	713	78.5	560
Clark	4.829	80.1	3.871	2,563	83.5	2,141	1,975	77.9	1.538	291	65.8	192
Douglas	599	78.9	473				373	78.5	293	226	79.5	180
Elko	3.241	78.2	2.535	1,240	81.5	1.011	1.470	75.5	1.110	531	77.9	414
Esmeralda	620	65.3	405				596	65.7	392	24	54.2	13
Eureka	461	57.1	263				349	57.6	201	112	55.8	62
Humbolt	1,395	72.2	1,009				1,154	75.5	871	241	57.3	138
Lander	583	67.7	395				513	68.1	350	70	64.7	45
Lincoln	1,143	86.7	991				948	89.2	846	195	74.5	145
Lyon	1,201	78.6	944				719	79.8	574	482	76.8	370
Mineral	777	62.5	486				689	65.8	454	88	36.8	32
Nye	1,380	67.1	926				1,175	70.5	828	205	47.7	98
Ormsby	935	88.8	830				903	89.1	805	32	78.1	25
Pershing	867	70.6	612				751	70.8	532	116	69.4	80
Storey	395	87.1	344				383	86.7	332	12	100.0	12
Washoe	10,025	90.4	9,069	8,319	93.1	7,748	1,045	76.2	796	661	79.5	525
White Pine	3,278	83.8	2.748	1,162	82.5	959	1.903	86.6	1,647	213	66.7	142
State Total	33.291	81.4	27.119	13,284	89.2	11,859	15.795	77.4	12.227	4,212	72.0	3.033

Cities of 2,500 Or More Population

	Units	% Radio	Radio Units
Las Vegas	2,563	83.5	2,141
Elko City	1,240	81.5	1,011
Reno	6,909	92.6	6,396
Sparks	1,410	95.9	1,352
Ely	1,162	82.5	959

*Source: Figures of the number of Occupied Dwelling Units and Per Cent Radio Equipped published by U. S. Census in the Second Series Housing Report for Nevada.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 1,113 Occupied Dwelling Units because answers to the radio question were not obtained in enumeration.

District Meetings

District 12

William B. Way, KVOO, Tulsa, Oklahoma, was unanimously elected NAB Director for District 12, at a meeting in Wichita, February 27.

Resolutions were adopted pledging BMI license renewal, support of NAB and cooperation with the war effort.

Those registered were:

Burt Adams, NBC; C. E. Arney, Jr., NAB; Ellis Atteberry, KCKN; Owen Balch, KSAL; Milton Blink, Standard Radio; Gustav Brandborg, KVOO; Ken Brown KVOO; Leonard D. Callahan, SESAC; Adelaide L. Carrell, WBBZ; Frank E. Chizzini, NBC; Plez S. Clark, KFH; Edward C. Coontz, KVOO; Don Davis, WHB; Walt Dennis, KVOO; Bob Enoch, KTOK; Lt. Holman Faust, Navy Public Relations; Bill Gillespie, KTUL; Gus Hagenah, SESAC; Carl Haverlin, BMI; Herb Hollister, KANS; Leo M. Howard, KFBI; Jack Howell, KOMA; Major H. W. Kent, Radio Branch Bureau Public Relations, War Department; Ray Linton, KFBI; Ben Ludy, WIBW; Clark Luther, KFH; Frank Mathews, KFH; Clem Morgan, KVGB; M. M. Murdock, KFH; Hugh Powell, KGGF; Kay Pyle, KFBI; Vernon E. Reed, KFH; R. K. Richards, Office of Censorship; Nelson Rupard, KTSW; John Schilling, WHB; Russell Shaffer, KANS; Larry Sims, KTSW; Harold Smith, KANS; Jack Todd, KANS; Ralph Varnum, KFBI; William B. Way, KVOO; Pierre Weis, Lang-Worth; Ralph Wentworth, Lang-Worth; and Fred Scraper, KFH.

District 10

John J. Gillin, Jr., WOW, was unanimously reelected to the NAB Board of Directors at a District 10 meeting March 2 in Omaha.

There was considerable discussion of the effect of the war on radio advertising. The following resolution was adopted:

"Whereas various advertisers are forced to terminate radio schedules because of lack of critical materials or circumstances caused by the war effort.

"Resolved that radio broadcasters adopt liberalized interpretation of contracts to lessen the penalties for such cancellation. The broadcaster reserves the right to revise advertising rates at any time upon 13 weeks' notice in writing and contract is accepted subject to above reservation. The advertiser may cancel without short-rate charge on the date on which the new rate may become effective."

District 8

Broadcasters of NAB District 8 met in Kalamazoo on March 4 and reelected John E. Fetzer, WKZO, to the NAB Board.

The following resolutions were adopted:

Whereas, the National Association of Broadcasters has well represented the broadcasting industry through many difficult periods, including the present war emergency, and

Whereas, it is our profound conviction that the best interests of the industry can best be served by one strong and thoroughly united trade association, now therefore,

Be It Resolved, that the broadcasters of the 8th District hereby affirm their confidence and trust in the NAB, pledge their continued support of the organization as now constituted and urge all stations to continue to lend their loyalty and support to the end that the American system of broadcasting may continue to flourish.

Whereas, Broadcast Music Incorporated has continued to grow and flourish and bring stability and competition into the field of copyright, and,

Whereas, BMI is now serving the cause of the broadcasters to their advantage in every respect.

Therefore Be It Resolved, that the 8th District of the National Association of Broadcasters urges all members of the NAB to continue their unqualified support of BMI.

Whereas, in our opinion, the war time restrictions of the office of censorship has asked the industry to impose upon itself are fair and reasonable and necessary for the safety and protection of the public at large, now therefore

Be It Resolved, that the broadcasters of the 8th NAB District hereby affirm their wholehearted acceptance of the requests and suggestions that have been made of them, and urge all stations to do likewise.

Whereas, the radio broadcasting industry has granted a considerable amount of free time to the United States Treasury Department in its stamp and bond campaign, and

Whereas, the said Treasury Department has prepared for other media material useful to such media in selling bond and stamp advertisements, and

Whereas, the Board of Directors of the National Association of Broadcasters has adopted a policy of gratis announcements and programs for defense and war campaigns, now therefore

Be It Resolved, by the 8th District Broadcasters that we heartily endorse the policy of NAB according free time for government programs but we do ask the Treasury Department to cooperate with NAB in the preparation of sales material for radio stations similar in nature to that prepared for other media.

Whereas, the 8th District of the National Association of Broadcasters has enjoyed the fine hospitality and splended entertainment of Mr. John E. Fetzer and the staff of Radio Station WKZO, and

Whereas, the 8th District of NAB appreciates the courtesies extended by the City of Kalamazoo in the use of the facilities of the City Hall, now therefore

Be It Resolved, that the 8th District of NAB extends its thanks and appreciation to all of the above.

O'FALLON URGES UNITY

Immediately after his retirement as NAB Director for District 14, Gene O'Fallon sent the following bulletin to all broadcasters in his district:

This bulletin isn't so much a "thank you" for the generous cooperation given me during my service as your NAB District No. 14 representative, as it is a PLEA for my successor, Ed Yocum of KGHL, Billings.

You know, every man and woman in the country is fast learning the art of teamwork and its powerful value in getting things done. It is regrettable that it is taking a war to teach us its effectiveness. During my years as NAB District Director, I have had ample opportunity to see how the LACK of full cooperation in a group such as ours can hinder ALL OF US in the things we have wanted for ourselves and for our industry.

For instance, the ASCAP-BMI disturbance. All of us can see what complete unity would have done for us.

And now the all important Defense & Victory which brings up such things as Censorship, temporary Deferment of employees, Rationing, Priorities, Programming, ESMDT, NAB Department of Broadcast Advertising, labor, etc., etc.

Even from the standpoint of financial support alone, I can't understand why a few should shoulder the financial burden of the many. Whenever good has been accomplished for our industry, EVERY individual station has benefited. Yet—the brunt of the load was carried by a few.

You might be interested to know that often more NON-MEMBERS have called upon me for assistance than members, and their problems have received the same attention as the others when presented to NAB headquarters.

In other words, I am trying to point out in my humble way that now, being in a war with its disrupting and changing policies in every line of business, I hope for UNANIMOUS support for our new District Director. He will have plenty of problems, because plenty of problems are going to present themselves to broadcasters. If EVERY member station does not get completely behind him and support him in his defense of OUR mutual problems, we will ALL suffer.

Remember—IT CAN HAPPEN HERE isn't just a statement for our country as a whole. We can apply it to our industry, to our 14th District, and what is more important—to our individual stations. Unity—COMPLETE UNITY—for Ed Yocum in his new and increasingly heavy duties, is my earnest plea.

Thanks so much for the privilege you have given to me to serve during my term of office.

Cordially,

Gene O'Fallon.

Labor

SUPREME COURT DISCUSSES STAND-BYS

The Supreme Court has now decided that neither the anti-trust laws nor the anti-racketeering law can be used to prevent the forced employment of unnecessary labor.

In a 6 to 1 decision last Monday, the court reversed the conviction of officers of Local 807, Truck Drivers Union, for forcing trucking firms to put stand-by truck drivers on trucks entering New York City. Violence was involved.

Broadcasters will be especially interested in that section of Justice Byrnes' decision dealing with musicians:

> The test must therefore be whether the particular activity was among or is akin to labor union activities with which Congress must be taken to have been familiar when this measure was enacted. Accepting payments even where services are refused is such an activity. The Circuit Court has referred to the "stand-by" orchestra device, by which a union local requires that its members be substituted for visiting musicians, or, if the producer or conductor insists upon using his own musicians, that the members of the local be paid the sums which they would have earned had they performed. That similar devices are employed in other trades is well known. It is admitted here that the stand-by musician has a "job" even though he renders no actual service. There can be no question that he demands the payment of money regardless of the management's willingness to accept his labor. If, as it is agreed, the musician would escape punishment under this Act even though he obtained his "stand-by job" by force or threats, it is certainly difficult to see how a teamster could be punished for engaging in the same practice. It is not our province either to approve or disapprove such tactics. But we do believe that they are not "the activities of predatory criminal gangs of the Kelly and Dillinger types" at which the Act was aimed, and that on the contrary they are among those practices of labor unions which were intended to remain beyond its ban.

NEW TAX BILL

Neither broadcasting in particular nor the advertising business in general will be subject to any special federal tax this year if Congress follows the Treasury Department's recommendations.

There is some danger, however, that friends of the International Allied Printing Trades Association will revive the association's proposal to levy a special tax on radio advertising. The printers want such a tax to try to switch advertising from radio to the printed media.

If such a proposal is revived the NAB is prepared to combat it to the full extent of its ability.

On Tuesday, March 3, recommendations of the Treasury Department for tax increases designed to produce $7,610,000,000 in additional revenue were presented to the Ways and Means Committee of the House of Representatives by Secretary Morgenthau and his tax adviser, Randolph Paul.

The recommendations include increased individual income taxes, to produce $3,200,000,000; increased corporation income and excess profits taxes to produce $3,060,000,000; and new and additional excise taxes to produce $1,340,000,000. The program also includes increases in estate and gift taxes, and the closing of certain "loop-holes".

Individuals with incomes up to $10,000 will find their taxes doubled if the Treasury recommendations are adopted. A married man with two dependents, with an income of $3,000, will pay $118 as against $58; with an income of $5,000, $587 as against $271; and with an income of $8,000, $1,472 as against $717. No reduction of the personal exemption or credit for dependents is proposed. A married man with two dependents and an income of $2,300 will still pay no Federal income tax.

Two significant new departures were included in the Treasury recommendations regarding individual taxes. First, legislation was asked under which the Treasury could require employers to withhold from wage and salary payments up to 10% of the amount by which those payments exceed the employee's exemption. For a married man with one child, for example, the exemption would be about $40.50 per week. Under the same plan corporations would be required to withhold 10% of all interest and dividend payments. Second, the Treasury proposes that husbands and wives be required to file joint returns and pay their taxes on the combined income.

With respect to corporations, the Treasury recommends that the present method of computing excess profits taxes be retained. This means that corporations will still have the option of computing their excess profits credit either upon the basis of their average 1936-1939 earnings, or upon the invested capital basis of 8% upon the first $5,000,000 and 7% over that amount. Excess profits tax rates are increased 15% in each bracket, or from a minimum of 35% and maximum of 60%, to a minimum of 50% and maximum of 75%. It is proposed that the capital stock tax and declared value excess profits tax be repealed.

No increase is proposed in the present normal tax rates of 15-19% for corporations with incomes up to $25,000, and 24% for corporations with incomes over $25,000. However, it is recommended that the present 6% surtax upon corporations with incomes under $25,000 be increased to 16%; and that the present 7% rate upon corporations with incomes over $25,000 be increased to 31%. In the case of corporations subject to the 31% rate whose income now is less than it was in the 1936-1939 period, this surtax may be reduced somewhat by certain credits.

Under these proposals, a corporation with an income of $100,000, of which $50,000 is subject to excess profits taxes, will pay $66,925 in taxes. A corporation with an income of $50,000, none of which is subject to excess profits taxes, will pay $27,500. A corporation with an income of $5,000, will pay $1,550.

The maximum rate applicable to any dollar of corporation income is 88.75%. The Treasury recommends that where the tax actually exceeds 80 cents on any dollar of income the excess should be returned to the corporation after the War, for reemployment of labor and for certain necessary capital expenditures.

Public hearings will open Monday, March 9, and are expected to continue for two or three weeks.

BMI HAS 237 CONTRACTS

BMI reports continued 100 per cent support at all district meetings and a steady flow of executed contracts. At the present time over 237 contracts, representing over 45 per cent of the industry's dollar volume, have actually been executed by both parties. On the other hand, BMI calls attention to the fact that its present contracts, by force of the government Consent Decree, expire on March 11th. It realizes that the persons who have not signed are not "hold-outs" but only "hang-backs." BMI knows that a large amount of material was sent to the stations and that they are burdened with many problems and are finding trouble in getting to the execution of their contracts. In view of the fact that only one week remains, however, before contract expiration date, all stations are asked immediately to get to the signing of their contracts and to get them into BMI. It is obvious that stations should not let the deadline date of March 11th go by without having executed their agreements. All broadcasters are, therefore, asked to give this matter attention at once.

District 1

WICC, WTHT, WTIC, WNBC, WELI, W-53-H, WSRR, WDRC, W-65-H, WAAB, WCOP, WEEI, WNAC, WORL, WBRK, WTAG, W-43-B, WKNE, WLNH, W-39-B, and WEAN.

District 2

WABY, WJTN, WABC, WBNX, WOV, WHLD, WMFF, WKIP, WHAM, WSYR, WTRY, WFAS, WBYN, W-51-R, WHCU, WOKO, WGNY, WHEC, WIBX, WAGE, WKNY, WNEW, WEAF, and WJZ.

District 3

WCED, WJAC, WKPA, WCAU, WFIL, WPEN, and WWSW.

District 4

WJSV, WINX, WMAL, WRC, WBT, WHKY, WRRF, WSOC, WPTF, WFVA, WSVA, WINC, WTAR, WDBJ, WMBG, WRVA, WLOG, WBRW, WITH, WTMA, and WFBC.

District 5

WBRC, WCOV, WQAM, WDBO, WDLP, WTSP, WMAZ, WRGA, WRLC, and WIAC.

District 6

KTHS, KGHI, KLRA, KUOA, KFFA, WFOR, WJDX, WAML, WQBC, WOPI, and WSM.

District 7

WHOP, WAVE, WOMI, WPAD, WHLN, WSON, WGAR, WFMJ, WKBN, WFIN, and WTAM.

District 8

WHBU, WTRC, WEOA, WGBF, WLBC, W-45-V, WBOW, WFBM, WBCM, WJBK, WJR, WTCM, and WKZO.

District 9

WBBM, WCRW, WEDC, WEBQ, WJPF, WTAD, WMAQ, WENR, KFIZ, WCLO, WEMP, WTMJ, WHBF, WRJN, W-55-M, WKBH, and WOSH.

District 10

WOC, WHO, KDTH, WKBB, WIL, KHMO, KWOS, KMOX, WOW, and KBON.

District 11

WCCO, WLOL, KFAM, KFYR, KDLR, KRMC, KELO, and KSOO.

District 12

KGGF, KANS, KFBI, KOCY, and KTOK.

District 13

KRIC, WFAA, KGKO, WBAP, KLUF, KFYO, KPDN, KIUN, KPAC, KTSA, WOAI, KTEM, KRGV, KEYS, KGBS, and KSKY.

District 14

KIUP, KFXJ, KOA, KRLC, KOVO, KEUB, KDFN, KWYO, KPOW, and KRJF.

District 15

KHSL, KMJ, KMYC, KYOS, KTRB, KDON, KVCV, KFBK, KROY, KJBS, KQW, KWG, KTKC, KFRE, KPO, KGO, and KOH.

District 16

KYCA, KGLU, KAVE, KICA, KGFL, KTNM, KFUN, KERN, KPMC, KNX, KVOE, KFMB, KPAS, KXO, KECA, KFI, KFSD, and KPRO.

District 17

KAST and KUJ.

U. S. CHAMBER OF COMMERCE HONORS OUR WAR EFFORT

A 15-minute transcription telling what radio is doing for the war effort has just been made by Neville Miller and Hardy Burt of the Chamber of Commerce of the United States.

It will be released through local chambers of commerce, and should be a valuable addition to your public relations program.

Arrangements have already been made for its broadcast in the cities listed below. Broadcasters in other cities should contact their local chambers of commerce to obtain the transcription.

Arizona
Yuma

Arkansas
El Dorado
Hot Springs

California
Anaheim
San Francisco
Santa Ana

Connecticut
Greenwich
New Haven
New London

District of Columbia
Washington

Florida
Miami
St. Augustine
Tallahassee

Georgia
Dalton

Hawaii
Honolulu

Idaho
Lewiston

Indiana
Fort Wayne
Lafayette
Terre Haute

Iowa
Clinton
Dubuque

Kansas
Coffeyville
Kansas City

Kentucky
Lexington

Louisiana
Alexandria
New Orleans

Maine
Lewiston

Maryland
Cumberland

Massachusetts
Hyannis (West Yarmouth)
Pittsfield

Michigan
Muskegon

Minnesota
Albert Lea
Mankato
Minneapolis
Rochester
Winona

Mississippi
Jackson

Missouri
Joplin
Poplar Bluff
St. Louis
Sedalia

Nebraska
Fremont
Kearney
Lincoln

Nevada
Las Vegas

New York
Batavia
Elmira
Olean
Troy
Utica
Watertown

North Carolina
Burlington
Gastonia
Greensboro
Wilmington

North Dakota
Jamestown
Minot

Oklahoma
Oklahoma City
Tulsa

Pennsylvania
Hazelton
Lewistown

Tennessee
Johnson City

Texas
Galveston
Harlingen
Midland
Paris
Pecos
San Antonio

Virginia
Fredericksburg
Petersburg

Washington
Walla Walla

West Virginia
Fairmont
Williamson

Wisconsin
Beaver Dam
La Crosse
Oshkosh

Wyoming
Sheridan

APPOINTMENTS FOR MILLER

Neville Miller this week was asked to represent the broadcasting industry at the Eighth Pan American Child Congress.

Katherine F. Lenroot, chief of the Children's Bureau, U. S. Department of Labor, also appointed Mr. Miller to represent radio on the Children's Bureau Commission on Children in Wartime. The commission will meet March 16-18.

NAB DISTRIBUTES NEW WAR DEPARTMENT BOOKLET

The NAB is mailing to all stations a booklet, "Music in the National Effort," published by the War Department. It should prove extremely helpful to program directors. Extra copies are available at the NAB.

VACANCIES FOR OPERATORS

The Field Division of the Engineering Department of the Federal Communications Commission has openings for additional engineering personnel in connection with National Defense Operations. Interested individuals may apply to their nearest United States Civil Service Commission representative requesting announcements numbered 166 and 203 which contain full information.

COURT STAYS NETWORK RULES

On Monday the U. S. District Court for the Southern District of New York restrained the FCC from enforcing the network regulations pending appeal by CBS and NBC to the Supreme Court. The Commission and MBS had opposed the networks' motion for a stay. The court found that the networks would be irreparably damaged if the Commission were to enforce the regulations pending the appeal and it should turn out that they were invalid and the District Court in fact had jurisdiction of the cases. The same court, Judge Bright dissenting, had previously dismissed the network suits for lack of jurisdiction (NAB REPORTS, February 27, page 113).

The findings of fact, conclusion of law, and opinion of the court are as follows:

Findings of Fact

I. That if the Federal Communications Commission, pending the plaintiff's appeal to the Supreme Court from the judgment of this court dismissing the complaint herein, enforces its regulations, issued in their amended form on October 11, 1941, and if these are invalid; and if this court—contrary to its said judgment—has in fact jurisdiction over the cause of action stated in the complaint; the plaintiff will be seriously and irreparably damaged.

II. That the said Commission has not declared that it will not enforce such regulations pending the appeal, except as to a station itself seeking to test their validity.

III. That the Commission, in the hearings leading to the said regulations and especially in its consideration of the evidence taken thereon, did not indicate that their immediate enforcement was a matter of urgent public interest.

IV. That a further delay in such enforcement of two months or until the appeal can be argued, whichever is earlier, will not, so far as can be ascertained, involve injury to the public commensurate with the injury to the plaintiff arising from enforcement, if the conditions mentioned in the First Finding exist.

Conclusion of Law

That the plaintiff is entitled to a stay pending its appeal to the Supreme Court; said stay being an order forbidding the Federal Communications Commission from enforcing the regulations above mentioned before the argument of the appeal to the Supreme Court, or the first day of May, 1942, whichever is earlier.

Opinion

Per Curiam: The Commission is of course right in saying that we have decided that the plaintiffs have adequate protection outside of these actions and in spite of their dismissal; nevertheless, in deciding whether a stay should be granted pending an appeal, we must assume that we may be mistaken, certainly a not unreasonable assumption in view of Judge Bright's dissent. If so, the plaintiffs will not be adequately protected, and indeed they may not be anyway if the Commission does not withhold enforcement in all cases until the issues could be once and for all determined in a renewal proceeding. Considering on the one hand that if the regulations are enforced the networks will be obliged to revise their whole plan of operations to their great disadvantage, and on the other that the Commission itself gave no evidence before these actions were commenced that the proposed changes were of such immediately pressing importance that a further delay of two months will be a serious injury to the public, it seems to us that we should use our discretion in the plaintiffs' favor to stay enforcement of the regulations until they can argue their appeal. For these reasons we will grant such a stay until the argument of the appeal before the Supreme Court or the first day of May, 1942, whichever comes first. For any further stay the plaintiffs must apply to the Supreme Court itself, or to the Circuit Justice.

Learned Hand,
U. S. C. J.

Henry W. Goddard,
U. S. D. J.

John Bright,
U. S. D. J.

THIRD DRAFT LOTTERY

Radio coverage of the Third Selective Service Lottery on March 17 promises to provide one of the best radio shows of the year, according to National Headquarters of the Selective Service System.

WQXR STAFF 100% FOR DEFENSE

The fifty-six employees of WQXR, New York City, have signed up 100 per cent on the payroll defense savings plan, according to Hugh Kendall Boice, the station's vice president in charge of sales. Mr. Boice is also chairman of the radio division of the Committee on Information for the New York State Defense Savings Bond Committee.

Engineering

WARTIME ENGINEERING CONFERENCE

The Fifth Annual Broadcast Engineering Conference opened on Monday, February 23, on the campus of the Ohio State University, Columbus. Howard L. Bevis, president of the University, first greeted the 175 engineers who had assembled for the Conference.

Professor W. L. Everitt, director of the Conference, devoted most of the conference periods to wartime subjects. The principal speakers on the program were Mr. E. K. Jett, chief engineer of the FCC, and Gerald C. Gross, assistant chief engineer of the FCC.

Mr. Jett's talk on the subject "Communications in National Defense" opened with the caution that we should be very careful in what we say as the enemy is always listening. He continued by describing the functional set-up of the Defense Communication Board. Mr. Jett outlined some of the accomplishments of the DCB. According to Mr. Jett the only class of radio stations now closed is the amateurs, and he said that the DCB is making a study, jointly with the OCD, to determine if and how the amateurs can be used in our civilian defense.

Another accomplishment of the DCB was arrangements for prompt use of communication facilities by the Army and Navy. The DCB has also arranged for priority of messages.

Mr. Jett stressed the importance of alternate routes and he said that a detailed study has been made of all national and international communication routes in order to ascertain where such additional facilities may be required.

The key station system for silencing radio stations was explained by Mr. Jett. He said that services other than broadcasting were tied in with this system.

According to Mr. Jett, the Board has decided that broadcasting is important to the national defense.

In continuing his comments on broadcasting he said, "The Board had considered nation-wide plans to use standard broadcast stations for communiques and announcements in the event of military emergency and has determined that broadcast stations should be used for the dissemination of news and entertainment to maintain the morale of civilian and military personnel, to educate the public in air raid plans and other civilian defense matters."

He said that protection of broadcast property and steps to insure reliability have been under study by the Board.

The Board realizes that there is a big shortage of trained operators, according to Mr. Jett. The Selective Service Commission has been asked to consider requests for temporary deferments where they are essential until replacements are available.

Mention was made of the release of Order 91 last week, which permits second class radio telephone, first telegraph, and second telegraph operators to serve at broadcast stations, provided a first class operator was in charge of making the important adjustments on the equipment.

Other matters the DCB has been concerned with, according to Mr. Jett, are the dissemination of weather reports, particularly to aircraft, priorities, the freeze order, signaling systems for the civilian defense authorities, a study to see that wire facilities are adequate, a study of Federal communication systems to ascertain their military use, a study of all alert-type receivers, and a study of the need for further legislation for control of facilities in view of defense requirements.

In commenting on the freeze order, Mr. Jett said that broadcast service is important. However, the country as a whole is pretty well served at present.

There are 91 FCC monitoring stations, according to Mr. Jett. These function under the National Defense Operations Department of the FCC. The stations were established for detecting subversive communications and for the purpose of recording foreign propaganda transmissions.

Upon being questioned about the future of television, Mr. Jett ventured the opinion that it would probably have to get along with what equipment it has at present.

Because of the nature of his subject, details could not be given on defense plans. During the question and answer period, Mr. Jett was not able to answer some questions because of restrictions, however, the members of the Conference were given a very good insight into the scope of the work of the DCB.

Emergency Operation

Emergency operation of broadcast transmitters was the subject of a discussion led by Mr. Orrin W. Towner, chief engineer at WHAS. He described the experiences of WHAS during the Ohio River flood of 1937. Mr. Towner drew parallels between the emergency steps they had to take during the flood and the emergency steps that stations may need to take due to wartime operation. Practically all that is needed at a studio in the line of equipment, in order to maintain service under emergency conditions, is a battery-operated amplifier, according to Mr. Towner. He suggested that permanent cords be made up to readily connect portable amplifier into the jack fields of the studio equipment.

Mr. Towner discussed the difficulties encountered in finding an emergency power supply when the regular power supply of WHAS was lost. He suggested the installation of engine-driven generators for use in case of loss of regular power supply.

To illustrate what can be done in an emergency, Mr. Towner described how they converted an amateur transmitter for use by the police after the regular police station had been flooded out.

A discussion on how operations could be carried on in the event of loss of various components in a transmitter, was led by Mr. Towner. He suggested that each engineer survey his station, keeping the following points in mind: How much can the power of the transmitter be reduced and still perform a satisfactory service; the minimum number of tubes the transmitter can operate with; how much voltage variation can be tolerated; the minimum water supply required and the minimum and maximum ambient temperature under which the transmitter would function satisfactorily.

Alternate equipment was recommended by Mr. Towner wherever possible.

Troeglen Speaks

Engine driven emergency power plants were discussed on Tuesday morning by Mr. Karl Troeglen, chief engineer of WIBW. Mr. Troeglen described the extensive installation made at WIBW, both at the transmitter and the studio. He stressed the importance of emergency engine-driven power supplies, particularly in view of additional hazards to power plants that may be imposed due to wartime operation.

Mobile FM

During the session entitled Mobile FM, Mr. Daniel E. Noble, research engineer of the Calvin Manufacturing Company, stressed the importance of FM in communication systems for police and armed forces. His discussion covered the design and installation of such equipment.

Tuesday and Wednesday afternoons, Mr. Charles Singer, maintenance engineer of WOR, was chairman of a panel discussing Transmitter Maintenance. The other members of the panel were Porter Houston, WCBM; Frank V. Becker, WTBO; and Floyd N. Lantzer, of WLW. The extensive maintenance routine of WOR with its accompanying manuals was described in detail by Mr. Singer. The other members of the panel discussed how these elaborate procedures could be modified for smaller operations. Mr. Singer stressed the point that repair parts are becoming difficult to obtain, and that more exacting maintenance can aid a station in maintaining reliability of operation.

Care of vacuum tubes was particularly stressed. A tube reconditioner used successfully at WOR was described. In the process of reconditioning, a gaseous tube is subjected to high voltage between the plate and filament when the filament is cold. A few minutes of this treatment clears up the gaseous condition in most cases, according to Mr. Singer.

A panel discussion on the subject Broadcast Station Operation in Wartime was held on the mornings of Wednesday, Thursday, and Friday. The panel was under the chairmanship of Mr. Lynne C. Smeby, Director of Engineering for the NAB. The other members of the panel were Mr. Andrew D. Ring, consulting engineer; Mr. J. D'Agostino, assistant operating engineer of the NBC; Mr. Raymond Guy, radio frequency facilities engineer of the NBC; Mr. Frank A. Cowan, engineer for the Bell System; and Mr. Hector Skifter, chief engineer of KSTP.

The first subject under discussion was that of priorities and material procurement. "We should do everything in our power to conserve material for the armed forces, consistent with maintaining an efficient system," were the opening remarks by your Director of Engineering. It was pointed out that broadcasting is important to our national welfare. However, the need of our armed forces should be given first consideration. The engineers were urged by your Director to give careful consideration to all priority requests, keeping in mind the great need of the armed forces. It was pointed out that a recent survey showed that our broadcast stations as a whole operate at an efficiency better than 99.98%. It was suggested that we could still do an effective national defense job with a slightly lowered efficiency.

DCB Activity

Mr. Andrew D. Ring discussed the work of the Broadcast Committee of the DCB. He discussed in detail many of the subjects that have been under study by the committee. He pointed out that subjects such as shortage of operators, priorities, radio silencing systems, and modification of FCC rules had been considered by the committee. Mr. Ring led an extensive discussion on steps that could be taken by a broadcast station in order to assure continuity of service.

Matters such as property protection and fire fighting are often slighted by broadcast stations, according to Mr. D'Agostino. He pointed out that extensive damage could be done to broadcasting property through neglecting to take proper steps against sabotage and fires. Mr. D'Agostino said that in selecting fire extinguishers, consideration should be given to the safety of the type of extinguisher selected. Some extinguishing agents emit a poisonous gas upon striking a fire, according to Mr. D'Agostino, and this type should be avoided indoors. He also pointed out that the chemicals contained in some fire extinguishers are injurious to electrical equipment. A new type of water-spraying nozzle was described by Mr. D'Agostino. This type of nozzle can safely play a stream of water upon equipment carrying thousands of volts without injury to the firefighter. The underlying principle of the nozzle is that it breaks the water up into small globules which are in effect insulated by air from each other, and therefore there is discontinuity in the stream of water.

The importance of auxiliary antennas in maintaining continuity of service was pointed out by Mr. Guy. He described various types of low antennas, pointing out that there are two primary difficulties in using such antennas at high powers. These antennas are usually between 60 and 200 feet high and therefore the base resistance is low and the reactance is very high. This causes a very high current to flow at the base of the antenna and special consideration must be given this high current in designing the coupling system.

Mr. Guy suggested loading the antenna with an inductance and then tapping the transmission line on to the inductance at the proper point.

At powers of 5 kilowatts and over corona on the antenna becomes an important factor. Mr. Guy suggested loading at the top of the antenna, and he also suggested minimum heights for auxiliary antennas which ran between 60 to 200 feet at the two ends of the broadcast band.

We were reminded that conditions are in a constant state of flux and that we must be prepared to change plans instantly. This thought was contained in the opening remarks of Mr. Frank

Cowan, transmission engineer of the Bell Telephone System. He spoke on the subject of wire facility. Mr. Cowan said that "change under present conditions is inevitable" and he went on to say that we must be reconciled to continuous changes.

Telephone Situation

Telephone calls have increased at a rapid rate due to the war effort. The increase up to Pearl Harbor was 50% and since then it has gone sky-high, according to Mr. Cowan. Additional facilities have been provided by the telephone company, and a great deal more are needed. During a normal year, according to Mr. Cowan, the Bell System uses about 100,000 tons of copper. The system has effected economies by using substitutes wherever possible. The normal operation of the Bell System has been restricted to essential new construction. According to Mr. Cowan the Bell System is now using about half the normal amount of copper and it is anticipated that this will be reduced one-quarter. It was the belief of Mr. Cowan that essential wire lines for broadcasting would be provided in the future. He urged, however, that broadcast stations adjust their requirements so that the usage of all wire facilities is more effective.

In the future private wires will be limited wherever possible. Many times a public service can be used which increases the utility of all circuits, according to Mr. Cowan. During normal times broadcast circuits are often protected by alternate routes, usually over a separate route wherever possible. Mr. Cowan said that it may be that some alternate routes would need to be taken over for other essential services.

All wire facilities must be considered in a pool, stated Mr. Cowan, and we must use them to the best advantage of our war effort.

The use of telephone lines to collect information and communicate with the proper authorities for air raid warning service was described by Mr. Cowan.

In discussing multi-link operation of regional networks Mr. Cowan said that certain equipment was necessary and that the overall network operation should be checked as well as the individual connection between each two stations.

Fire Protection

The last speaker on the Broadcast Station Operation During Wartime panel was Mr. Hector Skifter, chief engineer of KSTP. He impressed upon the members of the conference the importance of careful maintenance and the protection of property against fire.

Mr. Skifter remarked "we must substitute ingenuity and hard work for readily procurable material." The industry is essential but that does not mean that our own little station is essential, according to Mr. Skifter. He continued by saying that we must each study our station and try to foresee difficulties and do what we can to substitute for each part in the station. He suggested that we pick up obsolete equipment and canvass retail stores for possible usage equipment. We should immediately start on a policy of not destroying anything. It was suggested by Mr. Skifter that we clean up all old equipment around the station.

"If you are getting low tube life on a particular tube, check and see if others are getting short life on this same tube. If not you are to blame," said Mr. Skifter. He suggested that the following five points be checked with a view of saving on tube life: glass temperature, vibration, filament voltage and voltmeters, and efficiency of each stage in the transmitter. Mr. Skifter pointed out that when stations went to direct measurement in some cases, the efficiency was lowered. We should try to bring this efficiency up. It was suggested that the efficiency from the transmitter to the antenna be checked and if it was found low we should try to raise it. Any rise in efficiency would automatically reduce plate dissipation, thereby saving on tubes.

In commenting on the hazards of fire, Mr. Skifter suggested that each station get the best fire expert in the locality to survey the station and suggest safety steps. He reminded the members of the conference not to forget the tuning house. It was recommended that spare parts be dispersed to at least two points and that this should also be done with nemo equipment. It was pointed out that the only studio equipment that is essential is a battery-operated nemo amplifier. In discussing loss of towers, Mr. Skifter suggested that a competent man check the tower for loose bolts and connections. It was suggested that the design of each tower be checked very carefully by an independent structural engineer. If the tower was found submarginal it was suggested that part of the top of the tower be removed. Mr. Skifter pointed out that the small section removed from the top of a tower would greatly improve its safety factor and detract little or nothing from the field strength of the station. In closing, Mr. Skifter said that we should preach the theories of conservation to all of the engineering staff and to all others on the station staff.

Technician Training

On Wednesday morning a round table on The Training of Engineers and Technicians was led by Mr. Everitt as chairman. The other members of the panel were Mr. Fritz Leydorf of WLW, and Mr. Fred H. Pumphery of Rutgers University. It was suggested that there has not been enough differentiation between engineers who know how to design and construct equipment, and technicians who operate equipment. It was suggested that if this differentiation were made it would be easier to lay out training programs.

Aptitude tests were suggested for prospective students of the various training programs. During the discussion on training technicians for the armed forces, it was suggested by Mr. Arthur VanDyck, president of IRE, that the instruction be mainly qualitative and not quantitative. The NAB technician training program was discussed.

Gross Talks

One of the high lights of the conference was the topic presented on Thursday by Mr. Gerald C. Gross, assistant chief engineer of the FCA entitled Wartime Broadcast Experience in England. Mr. Gross described his trip to England and showed a number of pictures. According to Mr. Gross, practically no broadcasting time has been lost in England due to bombing and sabotage. All broadcast property in England is protected by military guards. The whole broadcast program in England is designed to aid the war effort, according to Mr. Gross. He said that the primary function of the broadcasting system is to maintain the public morale and to this end about 70 per cent of the programs are of the regular peacetime character. Stations no longer carry local programs. The BBC now has three national programs.

The first program service is designed for home consumption; the second, called the forces program, is designed for home consumption by men in the barracks and others on duty, such as the men manning anti-aircraft stations; and the third program service is mostly news and factual data transmitted to the occupied countries.

Mr. Gross said that there had been a marked increase in broadcasts to particular groups, such as the Army people in canteens. In regard to protection from bomb splinters, Mr. Gross said that most windows had been bricked up with a solid wall, and in cases where protection was desired overhead, a 5-inch concrete slab had been installed. These devices are protection only against bomb fragments and incendiaries and not against direct bomb hits, according to Mr. Gross. Blast fences, fabricated of 14-inch thick brick walls, usually were installed in front of entrances to buildings.

Women are doing an excellent job in places such as industry, driving buses, porters, and handling radio controls, according to Mr. Gross. War may be brought home to us sooner than we realize, continued Mr. Gross, and we must take every protective measure possible.

"This, in effect, is a radio war", was the consensus of opinion gathered from people in England by Mr. Gross.

England has become keenly aware of the importance of key radio men, according to Mr. Gross, and they have been retained in important positions. In closing, Mr. Gross said that television to the public had been abandoned in England for the duration.

Recording Standards

Mr. Howard Chinn, audio facilities engineer for the CBS, discussed the work of the recording and reproducing standards committee. A preliminary release of the 16 standards adopted so far was made at the conference. It was explained that these would be submitted at the next NAB Board meeting for official adoption by NAB. According to Mr. Chinn, the RRSC is proceeding with the standardization of the remaining items. However, it had been decided by the committee that as many of the items as possible would be standardized in the next two months, and then the job would be deferred for the duration of the war.

During the discussion on conservation of vacuum tubes the engineers of the conference passed a resolution requesting the FCC to modify its rule regarding transmitter output power tolerances. It was believed by the engineers that this would lead to a saving in vacuum tubes. Your Director of Engineering was requested to transmit the resolution to the FCC. Following is the resolution:

"That the Commission be petitioned to relax the rules so that stations be permitted to operate within the power limits of 5% above to 20% below the licensed power as stated in the terms of the license and further petitioned to remove the (10) day clause so that in case of equipment failure or serious damage a station may be permitted to operate with optimum power available under these conditions until repairs may be effected."

Friday morning Mr. J. H. DeWitt, chief engineer of WSM, discussed Studio Transmitter Links and High Frequency Antennas. He described the folded element antennas in use by WSM for its STL program circuit between the WSM studio in Nashville and the WSM transmitter. He also discoursed on the possibility of using such links as auxiliaries to the regular wire circuits.

The last session of the conference entitled Alert Calling System was conducted by Mr. Arthur VanDyck and Mr. Stuart Seeley of the RCA License Laboratory. Mr. VanDyck pointed out that the Alert Calling System could be used in place of wire circuits where a large mass of people would need to be given a signal. The Alert Calling System, according to Mr. VanDyck, can be operated selectively so that different groups can be called without other parties to the system receiving the signal impulses. Mr. VanDyck discussed the possible uses of the Alert Calling System in the civilian defense system.

Tuesday evening a scientific lecture was given by Dr. Phillips Thompson of the Westinghouse Electric and Manufacturing Company.

The annual conference banquet was held at the Fort Haynes hotel Tuesday evening. Over 200 attended the banquet.

In closing the conference Dr. Everitt said that it was planned that the conference would be held as usual next year.

NAB cooperated with Dr. Everitt in conducting the conference as it has done in previous years. This year for the first time the IRE was a co-sponsor.

Nelson's Talk

Here is Donald Nelson's radio talk of last Monday night, referred to on the first page of this issue:

My Fellow Americans:

I have come to this microphone tonight to talk about one thing, particuarly to the managers and the workers of American industry. It is deadly serious. I want to ask you a question I have been asking myself:

Are you doing everything within your power today to put more weapons into the hands of our fighting men?

I emphasize today because the arms we produce tomorrow, next month or next year are not going to the men who need them today, and they need them desperately today.

Let us look at the other side of the picture for a minute. In Germany, in Japan, in the conquered countries, millions of men are bound to their tasks under threat of death, under threat of concentration camps, under the whip and the goad of the secret police.

We are not fighting enemies whose production is free. We are fighting enemies where management is force and where labor is forced. Both, upon pain of death, must do exactly what they are told and exactly as much as they are told. They are actually slaves. That is what we are up against—a Germany and a Japan whose production is at its peak.

Can Free Men Excel Slaves

So I ask you, all of you free men and free women, can we beat it? The answer is to be found particularly in what you men in the war production plants—management and labor—what you do about it now—today.

I have talked to men who blame labor for lack of production. I have talked to labor leaders who blame management for lack of production. I have talked to managers who blame their suppliers. I have talked to suppliers who blame scarcity of materials. And I have talked to a lot of people who blame Washington.

My answer to each of these people has been: What have YOU done about it yourself?

To the business men who blame labor, I say:

What have you done to settle the problem forthrightly instead of merely complaining? Have you really tried to remove the causes of just complaints against working conditions in your plant?

To the representatives of labor, I say:

Have you really gone to the limit to adjust your differences without stopping production?

To those who whine that Washington hasn't done enough for them, I say:

Where is your initiative? Where is your enterprise? You are always talking about preserving free enterprise. What is it? Do you usually get business by waiting for the customer to call you and ask you to take an order? Have you made a thorough study of what the customer wants? Are you prepared to convert your machinery to those needs? Can you show us what you can do? There isn't time for the Army and Navy to determine what every plant can make. There must be initiative and enterprise at the other end of the transaction.

If you can show the Army and the Navy what you can do and are prepared to do it, most of the problem is solved.

Too Much "Passing the Buck"

Almost without exception, every one of these people I have talked to feels the urge to do more. The trouble is not with their intentions. The trouble is rather too strong a tendency to pass the buck—to blame the other fellow. Work is slowed down, production is lost and the men in the foxholes with MacArthur, the men in the Indies, our boys on land and sea and in the air are the first to suffer, and suffer death.

So I ask industry; I ask the men in the plants; I ask all of you who can contribute so much to ever greater production: Look into your hearts, look into your minds, be honest with yourselves individually and answer my question:

Are you doing today every single thing within your individual power to see that the planes, the tanks, the guns and ships, the ammunition and equipment those boys need desperately is getting into their hands faster and in ever-increasing quantity?

I'm not talking tonight merely to hear the sound of my own voice. Nor am I appealing to you. I am telling you that unless we can answer that question with a loud, positive yes, we are, in reality, helping the Axis win this war.

It is the production line that supplies the battleline. But it is on the battleline that freedom is being defended—where your right to free enterprise; your right to collective bargaining; your right to criticize; your right to worship as you please—it is on the battleline that those things you hold more precious than all else are being defended.

"Give Them Stuff They Need"

It is on the battleline that men—fathers, sons, brothers, boys you know, have pledged their lives to this thing for their country, for you and for me. And their success in this heroic undertaking depends entirely upon what we—you and I here at home, you and I on the production line—do to give them the stuff they need to destroy the enemy.

Let's put it another way. Have you clinched your fists, impatient to get at the Japanese for what they did at Pearl Harbor?

How many MacArthurs does it take to make you mad? Doesn't your blood run faster as you read of the undersea raiders operating within a torpedo's length of our own shores?

If these things have left you indifferent; if these things have not brought you to your feet alert and mad, determined that they shall stop and that those who inflict this bloodshed upon us shall be destroyed, then you are not worthy to be called American.

But I know that most of you are mad. So, I ask you to put that heat and that indignation—that fight—into that job of yours, whatever the job may be. It doesn't matter whether you tend a lathe, boss a production line or manage the plant. If you, every one of you, start tomorrow putting that extra bit of drive; that extra head of steam; that extra measure of determination into the job at hand, we can win with a minimum loss of blood and treasure.

Must Attain Goals This Year

In doing that we carry the fight into our plants. We then move faster toward our goals, by which I mean the 60,000 military planes; the 45,000 tanks, the 20,000 anti-aircraft guns and the 8,000,000 tons of merchant ships the President has said we must have this year. That is the task before us. It is the greatest production job in history. And it must be done this year—the year 1942. We have but ten months to go—304 days—in which to strengthen our striking power to a point where victory can come within our grasp.

Think for a moment of 304 days—304 days of threescore years and ten, the life of a man. In the lives of men now living, those 304 days immediately ahead can shape the whole course of history for a thousand years, and shape it to our way of life.

Is it not, then, worth while to give up all else but war and production for war during those 304 days? Could any right, privilege, profit or material possession of which we voluntarily deprive ourselves during those 304 days to gain our end compare with what we gain by so doing?

Failure to achieve that end can mean the end of freedom throughout the world for centuries to come. Can we not understand what that would mean not only to those now living but to generations yet to come? I think we can and by dedicating ourselves wholly to this task we'll make those goals—yes, and exceed them.

Plant Committees Suggested

To help us do all this and to give us the genuine feeling of participation that we need, the President has asked us for a great production drive. I am, therefore, writing the management and workers in plants engaged in primary war production asking them to set up joint management-labor committees within each of those plants to run this drive to push production up to and beyond the President's goals.

And right here I want to say that this is no sly scheme to speed up men and machines for profits' sake. It is instead a job in which we all can take a hand, and share in its success. Out of it must come greater production per machine and much greater use of each machine now operating. We cannot always wait for new ones. We must have full, three-shift operations of those we have. We cannot be satisfied until we've come as close as possible to the limit of 168 hours of work per machine per week.

In doing that I am confident we can increase production at least 25 per cent on existing equipment. That we must do and let no man fear that by putting more steam into his effort he'll soon run out of work. It is because there is so much yet to do that we must move faster than we have thus far.

To bring the goals closer to men and management I am assigning production schedules to the primary producers. They'll get a quota for the drive. These quotas are based on what we know a plant can do to meet the President's goals. They are not, however, the most the plants can do. No man can set a limit upon our will and determination once we have resolved to do our utmost.

Shops Can Have Score-Boards

That each man may measure his determination visually, I am asking the plants to erect a production score-board within the shops upon which each schedule can be laid out. There every man can see what lies ahead each day. In fact, the joint committee can mark each shift's progress toward the goal.

I want quotas broken down for each division within the plant so that every man working on every contract can be a member of the team. On the way he does his job depends the fate of all of us—the fate of our soldiers, sailors and airmen, of our families and friends. Upon the way that job is done rest all our hopes for future years.

We Americans love competition—the matching of wills and skills in sport and trade. Here in this plan we have in effect the greatest competition of all time in which the wills and skills of American industry—men and management—can really make freedom ring around the world.

In this production drive I am also asking the joint committees in each plant to provide machinery whereby each man may submit ideas and suggestions for doing the job better. These ideas and suggestions will be studied each week by the committees. Those found sound will be forwarded to Washington. Our engineering staff will examine them. Those proved valuable will be made available to other plants. Thus we tap a vast new reservoir of ideas, welding our productive genius into a united effort for victory.

Merit Awards for Individuals

Our Army and Navy have systems of commending merit of high order in the line of duty. There is also merit of a high order on the production line in this war. I have therefore proposed that the production soldier shall also be recognized for meritorious service to his country. Individuals making special contributions to greater production will, upon recommendation of the local plant committees and subject to review by a national board, be given awards of merit.

As I have studied our production problems, it has seemed to me unfortunate that the men in the war plants so seldom have an opportunity to know how the plane, the tank, gun or ship they have constructed has performed. Consequently I am asking the Army and the Navy to arrange for men at sea and at the front who are using these instruments of warfare to report directly to the men who built them.

I want them to tell us how the job's been done. They are the only ones who really know. To do this we will use every possible means to extend a line of communication between the plants and the theatres of war.

Here in Washington we can but outline the basic framework of this production drive. We can give guidance and make suggestions. Success depends upon the men and women in industry—the men and women out there on the production line. The war can be lost in Washington. It cannot be won here. That can be done only on the battle lines that now extend around the world and on the production lines that extend across this nation. Those production lines will determine whether we hold the battle lines and whether ultimately we crush the enemy.

Confident in Our Stamina

Hard months are ahead. You know that. The materials of war are for the most part materials of peace. Peace has given way to war and many of the materials which gave us those conveniences we have come to take for granted must now be devoted exclusively to war production.

In the months ahead there will be privation and there will be hard work. Yet, if I understand the temper of the American people, there will not be complaint or protest if the job is well done. But to do it well, those of us on the production line have got to get into this fight now. It's a fight in which no holds are barred. Our enemy has suspended all the rules. We can't fight by the book. For that reason nothing can be allowed to delay production.

There must be sweat and action on the production line to match the blood and action on the battle line.

We must train our sights on 168 hours per week of machine-time to match the 168 hours per week of machine-gun time.

The men of the production line dare do no less than the men of the battle line.

So, in closing, let me remind you once more that the slaves of Germany and the slaves of Japan are producing arms at a peak which we must equal and then surpass—quickly.

I therefore say to you free men and free women on the production line—to the free management of American industry—work as you've never worked before that we may defeat an enemy more ruthless, brutal and bloody than we ever faced before.

STATION VISITORS

James Lawrence Fly has addressed the following notice to all persons engaged in the wire or radio communications industry, including manufacturing:

This statement is issued in answer to various inquiries which have been received concerning the resolution of the Defense Communications Board of August 21, 1941, restricting access to the premises of communications plants and facilities other than premises necessarily open to the public.

The Board's resolution contains two provisions:

1. First, it is requested, in effect, that access to premises containing communications equipment and apparatus (except premises necessarily open to the general public) be denied to all persons who have no legitimate business on such premises. This restriction is applicable to both citizens and non-citizens. It is not intended that access be denied to (a) employees, (b) federal, state, or local officials acting in their official capacity, (c) representatives of labor organizations who visit communication companies for trade union purposes, or (d) other persons considered necessary by the management in the conduct of its business, such as purchasers and tradesmen.
2. The second part of the resolution is directed to visits by (1) aliens and (2) representatives of foreign governments or other foreign interests, whether such representatives be citizens or aliens. Such persons are to be denied entry even when on business visits unless permission is granted in accordance with the procedure outlined in the Board's public letter of December 15, 1941. A copy of this letter is attached hereto. This restriction, it should be noted, is applicable to "visitors" and not to employees.

The Board's resolution does not restrict access to "premises necessarily open to the public." In construing this phrase, it should be borne in mind that the resolution is designed to limit access to technical communication apparatus and equipment. There is no intention to impose any restrictions on visits to broadcast studios, telegraph offices, reception rooms, and other places generally used for transacting business with the public at large. On the other hand, it is intended that the restrictions apply to places where equipment is manufactured or stored, the transmitter house, or the control room of a broadcast station and the like.

The Board wishes to have it clearly understood that its resolution in no way constitutes a restriction on the employment of aliens or foreign-born citizens. According to the Attorney General, the only federal restriction on employment of aliens is that in the case of secret, confidential, or restricted government contracts, and in the case of contracts for aircraft parts or accessories, the employer must first secure permission from the head of the government department concerned for the employment of aliens. Both the Army and Navy have procedures set up for granting such permission and thousands of applications have been passed upon.

The responsibility for carrying out the Board's resolution restricting access to communication plants and stations necessarily rests primarily with the industry officials. It is expected that these officials will take all the proper precautionary measures and avoid unjust discrimination. Generally, of course, the Board expects that no individual, regardless of nationality, will be employed in or admitted to premises if there is any question as to his fidelity to the interests of the United States.

James Lawrence Fly,
Chairman.

Attachments.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, March 9. It is subject to change.

Friday, March 13

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Modification of license, **620 kc.**, 5 KW, unlimited, DA-night and day.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted special service authorization for period not beyond December 1, 1942, to make changes in equipment and to operate on **560 kc.**, 500 watts night, 1 KW day (B5-SSA-26).

WKBN—W. P. Williamson, Transferor; W. P. Williamson, Jr., Transferee; Youngstown, Ohio.—Granted acquisition of control of WKBN Broadcasting Corp., licensee of station WKBN, by Warren P. Williamson, Jr., through gift of 430 shares to him by W. P. Williamson (B2-TC-282).

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted construction permit (B4-P-3467), to install a new transmitter, make changes in antenna system and move transmitter to near Itaska, Ill., 11.5 miles southwest of present site (change in transmitter site requested by Navy Department).

KWKW—Southern Calif. Broadcasting Co., Pasadena, Calif.—Granted modification (B5-MP-1425) of construction permit (B5-P-3108) to install directional antenna for daytime use, and approval of transmitter site at Duarte Road and Vista St., Pasadena.

WGPC—The Albany Broadcasting Co., Inc. (assignor); J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co. (assignee), Albany, Ga.—Granted consent to voluntary assignment of license of station WGPC (B3-AL-329), from The Albany Broadcasting Co., Inc., to J. W. Woodruff, and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co.

King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted construction permit (B2-PH-93) for new station to operate on **46900 kc.**, with a service area of 5,300 square miles.

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted modification of construction permit to substitute **15290 kc.** in lieu of **15350 kc.**, to avoid possible interference with international broadcast station KGEI, also at San Francisco.

DESIGNATED FOR HEARING

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B3-P-3189) to change frequency from **1240** to **850 kc.**, increase power from 250 watts to 1 KW night, 5 KW local sunset, install directional antenna for night use and move transmitter locally.

Dyke Cullum & Harry R. England, as copartners, d/b as Radio Co. of Annapolis, Annapolis, Md.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B1-P-3401) for new station.

W. W. McAllister & Howard W. Davis, d/b as The Walmac Co., Alice, Texas.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B3-P-3311) for new station.

Edward E. Reeder, Seattle, Wash.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B5-P-2936) for new station.

WRUF—University of Florida, Gainesville, Fla.—Designated for hearing application for construction permit (B3-P-3234) to install a directional antenna for night use and increase hours of operation from limited KOA, to unlimited time.

MISCELLANEOUS

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—Granted license (B5-L-1568) to cover construction permit (B5-P-3235) for increase in power and installation of new transmitter. Also authority (B5-Z-1307) to determine operating power by direct measurement of antenna power.

Larus & Brother Co., Inc., Richmond, Va.—Granted construction permit (B2-PRE-418) for new relay broadcast station to be used with standard station WRVA; frequencies **31620, 35260, 37340, 39620 kc.**, 100 watts.

Eastern Carolina Broadcasting Co., Portable-Mobile, area of Goldsboro, N. C.—Granted construction permit (B3-PRY-269) for new relay broadcast station to be used with applicant's station WGBR; frequencies **1646, 2090, 2190, 2830 kc.**, 50 watts.

W2XMC—Muzak Corp., New York City.—Granted modification (B1-MPEX-8) of construction permit (B1-PEX-36) for extension of completion date from March 1 to September 1, 1942.

WRGB—General Electric Co., Schenectady, N. Y.—Granted license (B1-LCT-3) to cover construction permit (B1-PCT-11), authorizing new commercial television station. Channel No. 3; ESR: 3100.

W51-NY—National Broadcasting Co., Inc., New York City.—Granted modification (B1-MPH-68) of construction permit (B1-PH-15) for new FM station, extending completion date from February 27 to March 27, 1942.

W63C—National Broadcasting Co., Inc., Chicago.—Granted modification (B4-MPH-69) of construction permit (B4-PH-31) for new FM station, extending completion date to December 3, 1942.

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Granted license (B4-L-1588) to cover construction permit (B4-P-2726) to move transmitter, new directional antenna and increase in power. Also granted authority to determine operating power by direct measurement of antenna input (B4-Z-1326).

KOA—National Broadcasting Co., Inc., Denver, Colo.—Granted license (B5-L-1609) to cover construction permit (B5-P-3250) which authorized changes in equipment.

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Granted license (B1-L-1577) to cover construction permit (B1-P-3247) for new transmitter and increase in power.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Granted license (B4-L-1587) to cover construction permit (B4-P-2727) for move of transmitter, new directional antenna and increase in power. Also authority (B4-Z-1325) to determine operating power by direct measurement of antenna input.

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Upon its own motion the Commission supplemented notice of issues in Docket 6117, and ordered retention of present hearing date—March 2, 1942.

Lake Shore Broadcasting Corp., Cleveland, Ohio; Cleveland Broadcasting Co., Cleveland, Ohio.—On the Commission's own motion the joint hearing on these applications now set for March 9, was continued to April 20.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—On its own motion the Commission supplemented notice of issues in Docket 6216, and ordered retention of present hearing date—March 5.

Paul F. Godley, Newark, N. J.—On its own motion the Commission supplemented notice of issues in Docket 6217, and ordered retention of present hearing date—March 5.

W6XDU—Don Lee Broadcasting System, Portable-Mobile, area of Los Angeles—Granted modification (B5-MPVB-74) of construction permit (B5-PVB-83) for extension of commencement and completion dates to 3-1-42 and 9-1-42, respectively.

W59NY—Interstate Broadcasting Co., Inc., New York City.—Granted modification (B1-MPH-67) of construction permit (B1-PH-109) for new FM station authorizing extension to August 17, 1942, of completion date.

KGA—Louis Wasmer, Spokane, Wash.—Granted modification (B5-MP-1500) of construction permit (B5-P-2602) for extension of completion date from 2-24-42 to 6-15-42.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted license (B1-L-1614) to cover construction permit (B1-P-3062) for new transmitter, installation of directional antenna for day and night use, change in frequency, increase in power and move of transmitter to new location. Also granted authority (B1-Z-1347) to determine operating power by direct measurement of antenna input.

WQER—Georgia School of Technology, Portable-Mobile, area of Atlanta, Ga.—Granted license for new relay broadcast station using formerly licensed equipment (B3-LRY-254).

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Adopted order amending notice of issues in re Docket No. 5701, present hearing date, namely, February 26, to be retained.

WSWO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Adopted order denying application for renewal of license because of applicant's failure to file a written appearance as required by Section 1.382(b) of the Commission's rules, to the Commission's notice designating for hearing and the reasons therefor, said application for renewal of license.

Chattanooga Broadcasting Corp., Chattanooga, Tenn.—Granted petition for leave to amend application for new station so as to specify **800 kc.**, 1 KW, daytime only, site to be determined; denied request to retire amended application to pending files, and the Commission on its own motion continued hearing from March 12 to May 12.

James F. Hopkins, Inc., Ann Arbor, Mich.—Granted motion for order to take depositions in re application for new station. Docket 6230.

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Petition for intervention in hearing on application of WFAS, White Plains, N. Y., and Paul F. Godley, Newark, N. J., Dockets No. 6216, 6217, was passed to 9:30 a. m., February 28, for personal appearance of counsel for petitioner.

Debs Memorial Radio Fund, Inc., New York City.—Granted motion for order to take depositions (to be taken April 3) in re applications of WBNX Broadcasting Co., Inc., News Syndicate Co., Inc., FM Radio Broadcasting Co., Inc., Knickerbocker Broadcasting Co., Inc., Debs Memorial Radio Fund, Inc., Greater New York Broadcasting Corp., and American Network, applicants for new FM stations in New York City.

Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted motion for order to take depositions in re applications of James F. Hopkins, Inc., and applicant for new stations in Ann Arbor.

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted petition for continuance of hearing now set for March 9, on application for construction permit, Docket 5963, and continued hearing to April 27.

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted petition for leave to amend application for construction permit so as to specify a new directional antenna, and removed same from hearing docket.

Beauford H. Jester, Waco, Tex.; Roy Branham Albaugh, Waco, Tex.—Granted motion for 60-day continuance of hearing now set for March 6 on applications for new stations in Waco, and continued hearing to May 4.

Paul Forman Godley, Newark, N. J.—Denied motion for 60-day continuance of hearing now set for March 5 on application of applicant and WFAS, White Plains, for **1230 kc.**, and directed that hearing be held March 5 as scheduled for the purpose of taking engineering testimony of witness not thereafter available, thereupon hearing will be continued to April 20.

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted petition to intervene in re hearing on application of Westchester Broadcasting Corp. (WFAS), White Plains, N. Y., for modification of license to operate on **1230 kc.**, 250 watts, unlimited time, and application of Paul Forman Godley for new station at Newark, N. J., to operate on **1230 kc.**, 250 watts, unlimited time.

WALA—W. O. Pape, tr. as Pape Broadcasting Co., Mobile, Ala.—Granted license to cover construction permit (B3-MP-932, as modified) which authorized increase in power, installation of new equipment and directional antenna for night use, and move transmitter (B3-L-1539); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1265).

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Adopted order setting aside Commission's action of February 20, 1942, denying application for renewal of license; reinstated said application for renewal upon the hearing calendar subject to the filing of an appearance and notice of desire to be heard within 20 days from this date; and reinstated the temporary license heretofore issued to this applicant.

Edward J. Doyle, Rochester, N. Y.—Denied petition for grant of a construction permit for a new standard broadcast station in Rochester, to operate on **1240 kc.** with 250 watts power, unlimited time, the present operating assignment of WSAY, Rochester, which proposes to shift to **1370 kc.**

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Dismissed petition for rehearing filed October 20, 1941, by KWK, directed against the Commission's action of September 30, 1941, granting without hearing the application of KFEQ, Inc., St. Joseph, Mo., for construction permit to install a new transmitter and directional antenna, and increase power from 2½ KW day, 500 watts local sunset San Francisco, to 5 KW, unlimited time.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Dismissed with prejudice the amended application of KWK to change operating assignment from **1380** to **680 kc.** with power of 50 KW day, 25 KW night, using directional antenna, unlimited time.

Howard R. Imboden, Pulaski, Va.—Placed in pending files pursuant to Order 79 application for construction permit (B2-P-3346) for new station to operate on **1230 kc.,** 250 watts, unlimited time.

Granite City Radio Broadcast Co., Murray, Utah.—Ordered that the record in the matter of application for new station (B5-P-2750) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

APPLICATIONS FILED AT FCC

560 Kilocycles

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Authority to install new automatic frequency control equipment.

630 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—Modification of construction permit (B5-P-2663) for increase in power, installation of new transmitter and changes in directional antenna, requesting extension of completion date from 3-29-42 to 5-29-42.

670 Kilocycles

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—License to cover construction permit (B4-P-3256) for changes in transmitting equipment (to cover 2nd crystal unit).

710 Kilocycles

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Modification of construction permit (B5-P-2804) as modified, for increase in power, move, new transmitter and directional antenna for day and night, requesting change in type of transmitter, change in directional antenna and extension of commencement and completion dates from 11-3-41 and 5-3-42 to 60 days after grant and 180 days thereafter. Amended: re changes directional antenna.

780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Construction permit to install new transmitter, make changes in antenna system and move transmitter.

790 Kilocycles

WMC—Memphis Publishing Co., Memphis, Tenn.—Authority to determine operating power by direct method.

850 Kilocycles

WEEU—Berks Broadcasting Co., Reading, Pa.—Construction permit to install directional antenna for night use, change hours from daytime to unlimited time, power from 1 to 5 KW and install new transmitter. Amended: re changes in directional antenna.

950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Modification of construction permit (B3-P-2791) as modified for installation of directional antenna for night use, increase in power, requesting extension of completion date from 3-8-42 to 5-8-42.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of construction permit (B5-P-1528) as modified for new equipment and increase in power, requesting extension of completion date from 4-1-42 to 6-1-42.

1230 Kilocycles

KFXD—Frank E. Hurt, Nampa, Idaho.—Special Service Authorization for operation on **1030 kc.,** 250 watts, unlimited, period ending 4-1-42.

KADA—C. C. Morris, Ada, Okla.—Authority to install automatic frequency control equipment.

WJOB—O. E. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB, Hammond, Ind.—Construction permit to increase power from 100 to 250 watts and make changes in transmitter.

1240 Kilocycles

WSIX—WSIX, Inc., Nashville, Tenn.—Modification of construction permit (B3-P-3053) as modified, for change in frequency, increase in power, installation of directional antenna for night use, new transmitter and move transmitter, requesting changes in directional antenna and extension of completion date to 60 days after grant.

KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Modification of license to move studio from Corner N. W. and Chickasaw Blvds., Ardmore, to Hotel Ardmore, Ardmore, Okla.

1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Tex.—Modification of construction permit (B3-P-2788) as modified, for directional antenna night, increase in power, requesting extension of completion date from 3-8-42 to 9-8-42.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Modification of construction permit (B3-P-3011) as modified, for new transmitter, directional antenna for day and night, increase in power, change in frequency, move transmitter, requesting extension of completion date from 3-10-42 to 7-10-42.

1330 Kilocycles

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Modification of construction permit (B1-P-2955) as modified, for installation of directional antenna for day and night use, increase in power, install new transmitter and move of transmitter, requesting extension of completion date from 2-28-42 to 4-30-42.

1400 Kilocycles

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—License to cover construction permit (B5-P-3284) for new transmitter and antenna and move of transmitter and studio.

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Authority to determine operating power by direct method.

1450 Kilocycles

WASK—WFAM, Inc., Lafayette, Ind.—Modification of construction permit (B4-P-3146) as modified for a new station, requesting changes in equipment.

1460 Kilocycles

NEW—L. J. Duncan, Leila A. Duncan, Josephine A. Keith and Effie H. Allen, d/b as Valley Broadcasting Co., Columbus, Ga.—Construction permit for a new broadcast station to be operated on **1270 kc.,** 500 watts night, 1 KW day, unlimited hours, using directional antenna day and night. Amended: to request **1460 kc.,** 5 KW, directional antenna night, change type of transmitter and specify transmitter site.

1470 Kilocycles

KXYZ—Harris County Broadcast Co., Houston, Tex.—Modification of construction permit (B3-P-3016) for change in frequency, increase in power, installation of directional antenna for night use, new transmitter and move transmitter, requesting extension of completion date from 3-9-42 to 9-9-42.

1540 Kilocycles

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa.—Modification of construction permit (B4-P-3395) for a new station, requesting approval transmitter and studio sites and directional antenna for night use.

1590 Kilocycles

WAKR—Summit Radio Corp., Akron, Ohio.—Modification of construction permit (B2-P-3038) as modified, for new transmitter, changes in directional antenna for night use and increase in power, requesting further changes in directional antenna for night use, contingent on WALB's application B3-P-3383.

FM APPLICATION

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—License to cover construction permit (B4-PH-6) as modified, for a new high frequency broadcast station.

TELEVISION APPLICATIONS

WNBW—National Broadcasting Co., Inc., Washington, D. C.—Modification of construction permit (B1-PCT-3) for a new commercial television broadcast station to specify commencement date as 9-1-42 and completion date to be extended from 3-1-42 to 3-1-43.

W3XPP—National Broadcasting Co., Inc., Philadelphia, Pa.—Modification of construction permit (B2-PVB-59) as modified for a new television broadcast station requesting extension of commencement and completion dates from 9-3-42 and 3-3-42 to 9-3-43 and 3-3-43, respectively.

WMJT—The Journal Co. (The Milwaukee Journal), Milwaukee, Wisc.—Modification of construction permit (B4-PCT-8) for new commercial television station, requesting extension of completion date from 4-27-42 to 10-27-42.

MISCELLANEOUS APPLICATIONS

NEW—Queen City Broadcasting Co., Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.**, 50 watts, A3 emission. Amended: to change frequencies to **30820, 33740, 45820, 37980 kc.**

NEW—Queen City Broadcasting Co., Inc., Portable-Mobile.—License to cover above construction permit (B5-PRE-421) as amended.

NEW—Westinghouse Radio Stations, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **156750, 158400, 159300, 161100 kc.**, 20 watts, special emission for frequency modulation.

WKRB—American Broadcasting Corp. of Ky., Portable-Mobile.—License to cover construction permit (B2-PRY-252) for a new relay broadcast station.

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit (B1-P-3151) for new transmitter, change in frequency, increase in power and change in hours of operation, requesting authority to install new type transmitter.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

John Hanley, 5719 Loraine Ave., Detroit, is charged in a complaint with misrepresentation in connection with the sale of a device designated "Whirlgas Supercharger," advertised as being capable of increasing the operating efficiency of gasoline motors. (4714)

Income Audit Service Corp., 3407 Perry St., Mount Ranier, Md., and Frank H. Hibberd, who controls the corporation, are named respondents in a complaint charging misrepresentation in connection with the sale of a so-called "Income Audit Service." The respondents' service comprises a bookkeeping and accounting system consisting of a bound record for recording various business transactions, and includes a certificate of service under which the respondents, upon request, agree to prepare the Federal income tax return of purchasers of the service and to advise subscribers with regard to income, social security tax and other accounting questions. (4715)

Shepherd's Tailoring Company—Alleging the use of lottery methods in the sale of men's wearing apparel by means of a "club plan," a complaint has been issued against Shepherd's Tailoring Co., Inc., formerly known as Small's, Inc., 1102 Walnut St., Philadelphia, and Louis Small, Walter H. Hahn and William Trignani, officers and directors. (4716)

Uniform Manufacturers Exchange, Inc.—A combination and conspiracy to suppress, hinder and lessen competition in the manufacture and sale of uniforms is alleged in a complaint issued against Uniform Manufacturers Exchange, Inc., and its 24 member firms, all located in New York City, who manufacture uniforms, overcoats and other wearing apparel worn by policemen, firemen, doormen, bell boys, porters, chauffeurs, and others engaged in similar employment. (4712)

Woodville Lime Products Co., 2140 Jefferson Ave., Toledo, Ohio, is charged, in a complaint, with misrepresentation and disparagement of competitors' products in connection with the sale of fertilizer designated "4-All Farmlyme Basic Fertilizer." (4717)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Carol Textile Company—Benjamin Wolovnick and Isidore Nusblatt, trading as Carol Textile Co., 402 Broadway, New York, entered into a stipulation to cease and desist from using the term "80 Square" on labels or other printed matter as descriptive of the fabric of which their quilt covers are made, and to discontinue employing that or any similar term in a manner implying that the fabric is composed of a designated number of threads or picks to the square inch, when actually the thread count is other than indicated. The respondents also stipulate that they will cease employing the term "Full Size" as descriptive of quilt covers and will discontinue use of the term in a manner implying that the products are of a 72 inch by 84 inch size, as the term "Full Size" is understood in the trade. (3414)

Gates Container Corporation, 152 West 25th St., New York, stipulated that, in the sale of paper shipping containers, it will cease and desist from the use on stationery or printed matter of the word "Manufacturers" to imply that it owns and operates or absolutely controls the plant in which its products are made. The respondent also agrees to cease stamping its boxes with the purported certificate of a box maker together with such use of the corporate name "Gates Container Corporation" as may tend to create the impression that it manufactures the boxes. (3410)

Montello Granite Co., Montello, Wis., entered into a stipulation to cease representing, through the use of the words "last forever" or "will never fade or bleach," or any other words of similar meaning, that the granite monuments it sells are everlasting, or will endure forever, and that it provides bonds for the performance of its guaranty agreements. (3409)

Moray Jewelry Co., and as Majestic Bead & Novelty Co., 307 Fifth Ave., New York, engaged in the sale of novelty jewelry, entered into a stipulation to discontinue the use in invoices, stationery, or other trade literature of the word "Importers" as descriptive of his business or to imply that he imports articles of merchandise which are not imported by him; of the word "Manufacturers" to imply that he makes the commodities sold by him; and of the word "Guarantee" in connection with any offer or agreement which is not a bona fide guarantee. (3411)

National Peat & Humus Co., 60 East 42nd St., New York, entered into a stipulation to cease using the words "peat moss" as descriptive of his peat products which are sold as soil conditioners and for other purposes. The respondent also agrees to discontinue employing the designation "peat moss" in any manner implying that his product is moss peat, which consists chiefly of decomposed stems and leaves derived from species of Sphagnum moss. (3415)

Omar, Inc., 1910 Harney St., Omaha, Nebr., stipulated to cease advertising that bread made with "Omar Wonder Flour" will rise quicker than bread made with any other flour, and that by using Omar Wonder Flour a person will get one-third more bread than by using other flours. (02952)

Star Band Co., Inc., 440 Lafayette St., New York, stipulated that in the sale of oil skin covers designed to seal jars, pans and bottles and thus to keep any food contained therein fresh and to exclude dirt and other deleterious matter, it will stop representing that the covers are odorless when in fact they are not free from odor, and will discontinue use of pictorial or other representations on its packaged covers to imply that the package contains a number or type and size of such products in excess of the number or type and size of products actually contained therein. (3413)

Superior Instruments Co. and Radio Construction Laboratories, 227 Fulton St., New York, stipulated that in the sale of a device designated "Utility Tester" it will cease and desist from representing that the device can be depended upon accurately to measure the wattage consumption of electrical appliances, or electrical current up to 100 amperes; that the device is of any practical value in measuring or testing the higher voltage or amperage ranges heretofore designated in the respondents' advertising literature; and that the price of comparable electrical testing or measuring devices sold by competitors is any amount in excess of the actual selling price of such comparable devices. (3412)

CEASE AND DESIST ORDERS

The following cease and desist orders have been announced by the Commission during the past week:

Masterkraft Guild Weavers, Inc., and Asia Mohi Co., Ltd., 295 Fifth Ave., New York, and C. James Garofalo, president of both concerns, have been ordered to cease and desist from misrepresentations in the sale of rugs. (4237)

Metals and Minerals Research Bureau, 9 Sutter St., San Francisco, publisher of The Mining Manual, has been ordered to cease and desist from making any false or disparaging statements with reference to the authenticity, reliability or present value of a competing publication, The Mines Register, published by the Atlas Publishing Co., Inc., New York. (3572)

Southern Candy Company—Orders to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme have been issued against Hugh C. Mitchum and Carl B. Tucker, trading as Southern Candy Co., 219 North Graham St., Charlotte, N. C. (4266), and Little Rock Tent & Awning Co., trading as Tuf-Nut Garment Manufacturing Co., Third and Commerce Sts., Little Rock, Ark. (4481).

Western Chemicals, Inc.—Dissemination of false advertisements concerning "Alcoban," a preparation sold as a treatment for alcoholism, is prohibited under an order issued against Western Chemicals, Inc., Maffett Sales Corp., Bartell Drug Co., and Frank L. Wilson, N. B. Wilson and Reuel K. Yount, all of Seattle, Wash. The individuals named are officers and directors of Western Chemicals, Inc., and Maffett Sales Corp. (3735)

FTC CASE DISMISSED

The Federal Trade Commission dismissed a complaint charging Eugene John Francke, trading as Francke Co. and as E. J. Francke Co., Merriam, Kans., distributor of medicinal preparations for chickens and turkeys, with violation of the Federal Trade Commission Act in connection with the sale of his products.

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NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 11, March 13, 1942

NAB CONVENTION

Plans for handling the many details incident to the Twentieth Annual NAB Convention to be held at Cleveland, Ohio, May 11 to 14, have been completed. Ohio broadcasters making up the various local committees and the Cleveland hotel and Convention Bureau representatives met with J. Harold Ryan, Seventh District Director, and C. E. Arney, Jr., Assistant to the President, at the Hotel Statler in Cleveland last Thursday and Friday.

There is enclosed with this copy of the REPORTS a hotel reservation blank upon the back of which is listed the Cleveland hotels, together with the rates for the various types of accommodations. This will facilitate the making of reservations by those intending to attend the convention.

The Hotel Statler will be the headquarters hotel, but there are many other very fine hotels within short distances of the Statler. An early announcement of a very interesting program will be forthcoming.

Now is the time to plan to be on hand at the Twentieth Annual NAB Convention, Cleveland, Ohio, May 11 to 14, inclusive.

RULES GOVERNING CONVENTION HOTEL RESERVATIONS

1. Requests for hotel reservations may be sent direct to the hotel at which the applicant desires accommodations or to the NAB Housing Committee, 1604 Terminal Tower, Cleveland, Ohio.

2. The request should set forth in as much detail as possible—

a. the type of accommodations desired, rate, single or double occupancy, double or twin beds, etc.

b. the exact date of arrival and if possible, the time; the names of all people for whom reservation is requested.

c. the length of time which the party plans to stay.

d. if the reservation is not made in a firm name or the request written on a firm letterhead, the station or other business with which the reserving parties are affiliated should be given.

3. Request for reservations sent to hotels will immediately be referred to the NAB Housing Committee for consideration. As acknowledgment to the person from whom the request comes, the hotel will write a letter and attach a printed copy of these rules.

4. The Housing Committee has a complete list of NAB member stations. Reservation requests from parties or stations whose names are on this list will be given priority and assignments made in the order of their receipt. Requests from parties or stations not appearing on the membership list will be held in abeyance until April 12, at which time rights of priority will terminate and assignments made in order of their receipt. While NAB members will be given precedence, every effort will be made to suitably and satisfactorily care for the accommodations requested by individuals, firms and radio stations not on this list.

5. If the exact type of accommodations requested are not available in the hotel specified, the NAB Housing Committee will immediately notify the individual, firm or radio station of that fact and give information as to the type of accommodation available which most nearly meets the specifications. This information will cover the accommodations in the hotel requested, as well as in other hotels. Applicants should bear in mind that no assignments will be made in such cases until a confirmation is sent to the Housing Committee.

6. Reservations for delegates or persons from member radio stations planning to attend the convention should be sent in by the station itself and not by a third party. You are urgently requested not to have your station representative or anyone outside your station make a reservation for anyone from your station. This confuses handling of reservations and results in duplication. We ask your cooperation.

ADVERTISING TREND UPWARD

The "Broadcast Advertising Record," released by NAB monthly since January, 1941, to cooperating stations, has been totaled for the year 1941 and rough projections are being calculated to approximate industry totals. Results show that the total of all station and network business for the year was 84,267,000 program units and 14,511,000 announcements. (Program unit equals one minute of program time; announcement unit equals one announcement.)

These figures are rough approximations because they are projected from a free sample. Their real value rests in the indication of trend and of seasonal activity. The following table of program and announcement units by month, September, 1940, through December, 1941, reflects seasonal activity and contributes to trend analysis with comparison of "same month of previous year."

	Program Units		*Announcement Units*	
	1940	*1941*	*1940*	*1941*
January		6,500,000		997,000
February		5,992,000		1,001,000
March		6,847,000		1,161,000
April		6,753,000		1,287,000
May		7,003,000		1,264,000
June		6,802,000		1,159,000
July		6,717,000		1,119,000
August		6,697,000		1,122,000
September	6,217,000	6,717,000	1,022,000	1,207,000
October	7,764,000	8,140,000	1,256,000	1,373,000
November	6,875,000	7,858,000	1,139,000	1,351,000
December	6,776,000	8,242,000	1,177,000	1,469,000

The above figures reflect an expanding business running comfortably ahead of the last four months of 1940. The seasonal aspect is far better than it has been reported to be in advertising circles. Possibly here is the needed sales ammunition to kill off that "summer slump" ghost.

What is the trend? The NAB Research Department believes that figures for the year ending at the close of each month give the best picture of trend. These are called "twelve-month moving totals." They follow:

Year Ending	*Program Units*	*Announcement Units*
August, 1941	80,943,000	13,705,000
September, 1941	81,442,000	13,889,000
October, 1941	81,818,000	14,006,000
November, 1941	82,801,000	14,219,000
December, 1941	84,267,000	14,511,000

The change in year closings at the end of each month flags the trend. The figures properly account for seasonal factors, length

(Continued on page 144)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

ADVERTISING TREND UPWARD

(Continued from page 143)

of month and are arithmetically capable of forecasting future volume.

The point is, the figures show that the pessimists are all wet as of December 31. And what's more, the industry composite of business shows no sign of weakening. Despite the crepe-hangers, the forecast is better business in 1942 than in 1941. As it looks from here, figure-wise, program units up 6 to 8 percent and announcement units up 10 to 12 percent for the year 1942.

The most widely forecast advertising loss from the automotive industry had not materialized at the close of 1941. Maybe it will show up in coming months but with the substantial gains in department store, clothing, shoe, grocery, and other classifications, such losses are not apt to reverse the trend.

The Research Department is preparing analyses of each advertiser classification patterned after the above. This will be sent to "Broadcast Advertising Record" cooperators as soon as available and summaries will be carried in the NAB Reports.

PLANS TO INCREASE RADIO TECHNICIAN TRAINING STUDIED

Informal discussions this week indicate that future trainees in the radio technician training program may be largely limited to military reserves.

By having trainees enroll in the reserves the problem of their induction into Selective Service before completing courses would be eliminated.

This entire matter is still under consideration. Mention is made today only because of the great number of letters that have been received from broadcasters since recruiting for the training program was discontinued.

No action on your part is required now. When, as and if your help is needed again you will be asked. One plan for training additional radio technicians envisions:

1. Continuing present pattern of cooperation of educators and broadcasters through the ESMDT—U. S. Office of Education—Federal Security Agency.
2. Accept for instruction, from now on, men having educational requirements of the present training program; but mostly men enlisted in the Army Signal Corps Reserves, Navy Reserves or Marine Corps Reserves. Since the purpose of these courses is to give fundamental training in radio, preliminary training for all is identical. On successful completion of the course the men would receive specialized in-service training.
3. Men who enlist in the Reserves to take these courses would be permitted to keep their jobs until completion of the course when they would be subject to call.

Some such plan as this would seem to meet the requirements of the armed forces, and, at the same time, permit the utilization of the pool of capable instructors in broadcasting stations needed to supplement the teaching efforts of colleges and universities.

Must Take Care of Civil Needs

However, the national interest demands that provision must be made to train replacements for technicians in essential communication services such as: police, fire, commercial airlines, government limited service stations, FCC, radio receiver servicing, and radio broadcasting, both domestic and international.

The 2-billion-dollar federal radio apparatus manufacturing program will require large numbers of vocational level mechanics, "radio technicians," engineers and scientists. ESMDT-NAB program can give basic training which is preliminary to additional training for some of these "radio technicians."

Time remains the essence.

Approve More Schools

Since last week ESMDT has cleared the following institutions for radio technician training courses. "Additional" after a name means clearance of additional sections at schools previously approved.

California
University of California (additional)

Illinois
University of Chicago (additional)
University of Illinois

Indiana
University of Notre Dame

Louisiana
Loyola University

Maine
Bates College (additional)

Michigan
Michigan State College

Montana
Montana State College (additional)

Nebraska
University of Nebraska (additional)

New Mexico
New Mexico College of Agricultural and Mechanical Arts

New York
Union College (additional)

Ohio
Case School of Applied Science (additional)
Fenn College (additional)
Western Reserve University (additional)

Pennsylvania
Temple University

South Dakota
South Dakota State College

Tennessee
Vanderbilt University

Texas
University of Texas (additional)

Washington
State College of Washington

1712 in Upper New York Classes

The promotion for radio technician training courses in upper New York has so far resulted in the enrollment of 1712 eligibles in 67 courses located in 29 cities.

Approval is lacking for courses in Albany, Schenectady and Troy, but 633 applications have been received. No report was received from Rochester educators.

All this is the result of the promotion beginning at the January 3 meeting of educators, called by Col. Harry C. Wilder, president, WSYR, Syracuse, industry representative.

The detailed figures listed below were prepared under the direction of Prof. A. S. Adams, of Cornell, on behalf of Dean S. C. Hollister, of Cornell, State Coordinator.

UNIVERSITY OF BUFFALO

City	*Sections*	*Class Started*
Buffalo	3	Feb. 16

CLARKSON COLLEGE

City	*Sections*	*Class Started*
Canton	2	Jan. 18
Malone	2	Feb. 23
Massena	2	Feb. 24
Ogdensburg	2	Feb. 16
Plattsburg	4	Feb. 16
Potsdam	2	Feb. 16
Saranac Lake	3	Feb. 9
Watertown	4	Feb. 16

CORNELL UNIVERSITY

City	*Sections*	*Class Started*
Auburn	1	Feb. 27
Binghamton	1	Feb. 16
Elmira	1	Feb. 24
Ithaca	2	Feb. 18

NIAGARA UNIVERSITY

City	*Sections*	*Classes Started*
Niagara Falls	5	March 2

VASSAR COLLEGE

City	*Sections*	*Class Started*
Poughkeepsie	1	Feb. 12

ALFRED UNIVERSITY

City	*Sections*	*Classes Started*
Bath	3	Feb. 2
Corning	3	Feb. 9
Jamestown	3	Feb. 2
Olean	3	Feb. 2
Salamanca	2	Feb. 9
Wellsville	2	Feb. 9

SYRACUSE UNIVERSITY

City	*Sections*	*Classes Started*
Geneva	3	Feb. 24, 25, 27
Oneonta	1	Feb. 9
Oswego	1	Feb. 16
Syracuse	8	Feb. 9, 17, 25
Utica	2	Feb. 16, 17

CANISIUS COLLEGE

City	*Sections*	*Class Started*
Buffalo	1	Awaiting Approval

RENSSELAER POLYTECHNIC INSTITUTE

Albany Schenectady Troy	633 applications received. Courses not yet started.

UNIVERSITY OF ROCHESTER

No report

866 in Iowa

Thirty-two sections of radio technician training courses with a total enrollment of 966 have been set up in Iowa.

The sections listed below, Des Moines—Ames, inclusive, were reported to Professor H. O. Croft, head of the Department of Mechanical Engineering, University of Iowa, ESMDT Regional Adviser, Region No. 16, by Professor M. S. Coover, head of the Electrical Engineering Department, Iowa State College, who is looking after the activities in a part of the state.

City	*Sections*
Des Moines	6
Marshalltown	2
Lamoni	2
Mason City	2
Fort Dodge	2
Sioux City	3
Shenandoah	2
Ames	2

The following eleven sections were reported to Professor Croft by Earle L. Waterman, administrative assistant, ESMDT, College of Engineering, the State University of Iowa, Iowa City:

City	*Sections*
Burlington	1
Cedar Rapids	2
Clinton	1
Davenport	1
Decorah	1
Dubuque	1
Iowa City	1
Rock Island, Ill.	1
Waterloo	2

580 in Indiana Courses

The status of the radio technician training program in Indiana was reported March 12 by Howard Gillispie of Purdue University, Lafayette.

There are 580 persons in training in 28 sections.

Said Mr. Gillespie: "Training under this program opened in Lafayette and Vincennes this week, with the first section in these centers starting March 2. Purdue classes will open in the other four remaining training centers in Indiana during this month.

"Ample equipment should be available for all of these classes since Purdue had anticipated, before restrictions went into effect, the opening of classes in 15 centers.

"As a result of the announcements made by cooperating radio stations, widespread interest in radio training has been aroused in this area. We have received approximately 2,000 inquiries and we know that a large number of letters are still in the hands of the broadcasters. It would seem that some of the announcements made by stations were too brief since a large number of inquiries were received from unqualified persons. This fact might be worth considering in case the training is continued later."

Courses are as follows:

City	*Sections*	*Enrollment*
Indianapolis	6	120
Fort Wayne	6	120
Jeffersonville-New Albany	6	120
Lafayette	4	90
Vincennes	4	90
Evansville	2	40

120 Train at St. Norbert

Station WTAQ and St. Norbert College, Green Bay, Wis., have three radio technician training courses in operation. There are to be approximately thirty others throughout the state of Wisconsin. Two classes are held at the Green Bay Vocational School with Father L. F. Jacobs as lecturer and the third at the college. All laboratory work is being given at St. Norbert. Assisting Father Jacobs is Wallace Stangel, transmitter engineer at WTAQ, and Bernard Jankowski, instructor at the College. One hundred twenty students in all are enrolled.

Brown University

Sixty-eight students comprise the radio technician training class which started at Brown University February 18, according to F. N. Tompkins, Brown University, Institutional Representative ESMDT. The course is being taught by Chief Engineer Tilly of station WEAN.

RADIO'S WAR EFFORT

Analysis of stations' reports on Defense broadcasts for the month of January, shows a substantial increase in the total number of announcements broadcast in behalf of the U. S. Army, Navy, Marine Corps, Coast Guard, Civil Service and Treasury Departments over the previous month. The 852 commercial stations operating January 1, 1942 broadcast 347,640 announcements or an average of 408 per station. In addition, 61,400 announcements were broadcast for other Government agencies.

In detail, Army broadcasts dropped off; Navy showed a slight drop; while Marine Corps, Coast Guard and Treasury broadcasts increased considerably.

We are happy to report these increases in Radio's War Effort. The complete analysis for January is given in the following table:

DEFENSE BROADCAST REPORT FOR JANUARY 1942

	No. of Broadcasts
MANPOWER	
Army	
Aviation Cadets—thru NAB—live spots	11,690
Parachutists " " " "	4,150
various kinds of spots	24,760
Total Spots	40,600
15 Minutes—et—direct	1,930
15 Minutes—live	280
30 Minutes	50
Navy	
Aviation Cadets—thru NAB—live spots	8,580
General Enlistments " " " "	8,900
Reserves " " " "	7,400
Various kinds of spots	26,630
Total Spots	51,510
15 Minutes—et—direct	900
15 Minutes—live	70
30 Minutes	20
5 Minutes	10
Marine Corps—thru NAB—live spots	31,700
" " scripts—15 Minutes	530
15 Minutes—et	700
5 Minutes	50
Coast Guard—thru NAB—live and recorded spots	18,580
5 Minutes	10
Manpower—U. S. Civil Service—thru NAB—live spots	22,580
DEFENSE FINANCING	
U. S. Treasury—direct—live spots	182,670
15 Minutes—et	1,580
MORALE	
"You Can't Do Business with Hitler"—OEM—15 Minutes et	1,480
GOVT. AGENCY NOT DIRECTLY CONNECTED WITH NATIONAL DEFENSE	
Live Spots	58,340
Et "	3,060
3 Minutes—et	140
5 Minutes—et	1,200
5 Minutes—live	2,450
10 Minutes	650
15 Minutes—et	2,110
15 Minutes—live	4,760
25 Minutes	10
30 Minutes—et	100
30 Minutes—live	2,580
40 Minutes	20
45 Minutes	40
60 Minutes	20
3 Hours & 35 Minutes	10

Sales

Local Army Shows May Be Sponsored

As all NAB members undoubtedly know, army programs originated locally may be commercially sponsored under certain conditions, thus affording some stations an opportunity for new revenue. However, although hundreds of such programs are believed to be carried by stations throughout the country, only a few stations have availed themselves of the privilege of securing sponsors, according to a survey released to NAB Reports today by Captain Edwin P. Curtin, editorial director of the radio branch, Bureau of Public Relations, War Department, Washington.

Of all the locally originated programs reported thus far, only four are sponsored. According to Captain Curtin's survey, these are:

RANDOLPH FIELD, TEXAS

Thursdays, 6:15-6:30 p. m., KMAC
"Resume of Sports Today"
Sponsor: C & S Sporting Goods Co., San Antonio, Texas
Program: Aviation cadet with athletic background interviewed on sports and flying experience by Pat O'Brien, sports commentator.

* * *

FORT DOUGLAS, UTAH

Mondays, 6:30-7:00 p. m., KDYL
"All Out for Victory"
Sponsor: Eimco Corporation (iron and steel products)
Program: Station's house band and singers, interviews with soldiers at reception center.

* * *

Wednesdays, 6:30-7:00 p. m., KDYL
"You're in the Army Now"
Sponsor: Eimco Corporation (iron and steel products)
Program: KDYL house band and singers; interviews with soldiers at reception center.

* * *

CAMP PERRY, OHIO

Monday through Friday, 6:15-6:30 p. m., WTOL, Toledo
"Camp Perry Is on the Air"
Sponsor: Schiff's Shoe Stores, Toledo, Ohio
Program: Interviews with soldiers at reception center. Program is transcribed.

Public relations officers at each camp are familiar with army regulations governing the sponsorship of programs, and will cooperate with stations to develop programs suitable for local sale. If you know of any additional sponsored army shows, please report the details to Captain Curtin or to the NAB Department of Broadcast Advertising.

Station Names "Civilian Defense Week"

March 15-21 is being celebrated as "Civilian Defense Week" in Tuscaloosa, Ala., under the leadership of WJRD.

According to an announcement sent to every merchant and to civic leaders by Manager J. E. Reynolds, the week "is being devoted entirely to a better enlistment of our citizens for civilian defense."

Mr. Reynolds explained that his station is devoting its facilities this week "to the different departments of Civilian Defense, to build up a defense force that could defend any community of this size. The Chamber of Commerce is staging a real show at the University of Alabama football stadium Sunday, March 15, with an actual demonstration of the incendiary bomb, together with other things that we will have to face in time of invasion. All programs during the week will be keyed to Civilian Defense."

Department Store Study Under Way

Arrangements were completed Wednesday with the National Retail Dry Goods Association for a nationwide study on the use of radio advertising by department stores.

This research project, which will require several months for completion, will analyze the subject from all angles. A complete report, analysis, and a program for future activity to be based on the findings, will be given at the NAB convention in Cleveland at a special session on department stores to be held May 12.

Dealer-Cooperative Study Ready Soon

A report on the extent of dealer-cooperative radio advertising, based on a national NAB survey, will be released this week to NAB members who cooperated in the project. The study gives a list of manufacturers who provide funds for local radio advertising by dealers and distributors.

Automotive Support Decreasing

Although the NAB "Broadcast Advertising Record" shows that the volume of automotive radio advertising has held up surprisingly well in the face of rationing, priorities, and conversion of some automotive plants to war production, dealer-cooperative funds are rapidly dwindling.

At the suggestion of Dietrich Dirks, KTRI, member of the NAB Sales Managers Executive Committee, the Department of Broadcast Advertising has been urging leading automobile and tire manufacturers to establish special funds for the duration to assist dealers to carry on local radio campaigns.

A report on the situation in Detroit, received today from William H. Cartwright of Edward Petry & Co., states:

"A year ago at this time the dealer-cooperative fund constituted a large advertising budget. Practically all of the automobile companies had such a fund, set up on the basis of new car sales.

"For example, Chrysler Sales Corporation built up a dealer-cooperative fund on the basis of $15 for each car shipped into a particular territory, with $10 of this put up by the dealer or distributor, and $5 by Chrysler. Other companies, such as Packard, cooperated on a 50-50 basis. However, this type of cooperative advertising between dealer and factory has been eliminated, due to the lack of car production, although some of the money which was built up during productive months is still available and is now being spent.

"In your letter you mention the fact that Buick is planning a cooperative expenditure, and all indications are that it will be spent in newspapers. One reason for this is the fact that in a newspaper ad you can list as many dealers underneath the ad as desired, whereas in Spot Radio particularly, where straight spot announcements are used, it is impossible to include all the dealers in a given market, and this is one of the hurdles which we have not been able to overcome to date.

"A few markets received spring radio dealer-cooperative advertising, but this was not at all general and was governed by specific conditions in specific markets."

In line with the NAB campaign to secure special help for dealers, Mr. Cartwright reports parallel action:

"We have suggested to several of the leading automobile companies that they appropriate a national factory fund that is to be paid for entirely by the factory—as, for example, Ford—whereby they would buy radio advertising directing the listeners to Ford dealers. Frankly, we have felt we had a better chance to get an appropriation on this basis than we have for including the dealers, who, according to our information, in the majority of cases are in pretty tough circumstances. Just how this will work out cannot be said at this time.

"The facts are that automotive advertising has been slipping for the past several months, due to war conditions, and I see no immediate help as practically all advertising agencies have cut down to a minimum of personnel. For example, Ruthrauff & Ryan, who employed some 40 people, are now down to 8. J. Sterling Getchell have cut down to one man and a girl, and this is true also of Young & Rubicam and right down the line.

"But keep up the good work directed toward the automobile accounts, and even if it doesn't pay dividends at the moment, once this thing is over, I am optimistic enough to feel that Detroit will be a 'boom' market."

Encouragement on another front, however, was received when Mr. Cartwright reported that "the over-all picture for the entire territory, however, looks quite hopeful on such accounts as Musterole, Kellogg's, Richman Brothers, National Refining, etc."

The point to be made here is that, despite present unfavorable conditions in some branches of the automotive field, by no means all automobile advertising is being lost to radio, since substantial billings remain from gas and oil accounts, garages and service stations, etc., as reported to the "Broadcast Advertising Record."

The NAB will continue its effort to have special funds set up for the assistance of local dealers. National sales representatives will continue to encourage factory funds for spot radio.

Local stations can be of great assistance by carrying on the campaign among local distributors and dealers, urging them to request such support from their factories and to make such funds available for radio advertising, rather than requiring that they be used in some other medium.

"British Food Parcels" Is Commercial

The British Food Parcels Service Co., New York, which has been seeking percentage deals with various radio stations, has been established to be a commercial enterprise whereby the company receives orders for food packages to be sent to Britain, and ships and insures these at a profit. On that basis, there is no reason why its advertising should not be placed like that of any other client, at regular rates.

Stations Aroused by P-I and Free Time Chisels

Mounting resentment among NAB members is noted in the nature of replies being sent to various clients and agencies who continue to seek free time for disguised commercials, or pre-inquiry deals or guaranteed returns. Stations particularly resent the "new" approach by some of these, who seek to capitalize on an alarmist attitude regarding an expected decrease in radio billings due to the war.

The general tenor of such approaches is to the effect that "you are going to lose many of your legitimate accounts because of the war, and you will have a lot of time available, so why not play along with us on a special deal?"

Stations, and the NAB, have pointed out to these people that

1) evidence to date does not indicate a drop in radio billings, and

2) even if such a drop is inevitable sometime in the future, the best interests of the industry will surely not be served by breaking down sound business practices and standards of ethics, and

3) such tactics, whereby chiselers would seek to capitalize on war conditions for their private gain at the expense of radio, are certainly not constructive.

The Sales Managers Division of the NAB believes that such practices should be stopped NOW, before the industry finds itself hopelessly broken down and subject to severe criticism and even desertion by its legitimate clients, who are entitled to as favorable a "deal" as any other advertiser receives.

Unless prompt and positive steps are taken by each station, it may be too late. Such action should consist of reporting all attempts to the NAB, and of answering such requests in definite and pointed terms. Most stations merely ignore such requests; the would-be chiseler, receiving only a few rebukes, gets the mistaken notion that the industry is receptive. Therefore even a form letter stating your position and your opinion, if sent to every client employing such tactics, would have a salutary effect.

Here is the week's *potpourri*, including some station comments:

Trinity Associates, Inc., Jean Talbot, New York, seeking free time on women's programs for scripts on "Hollywood in Your Home," and distribution of booklets advertising commercial decorative fabrics. Miss Talbot, conducting a publicity service, admitted that her scripts were "a bit too much on the commercial side," but said that only two stations had written critical letters, and added, brightly, "I hope you will accept this apology as graciously as I have your criticism and that this occasion will not prevent you from considering scripts that I may send you in the future." The station receiving that letter replied:

"Whether or not the particular script contained more commercial material than usual, we stand by our conclusion that your material does constitute commercial advertising. Nor have you answered our question which we repeat: 'If all fabric manufacturers (all manufacturers, for that matter), were to expect free advertising, how long would it take for broadcasters to go out of business?'" And to the NAB, this station urged:

"By all means, keep everlastingly at it, for only constant dinning will light the light for hundreds of broadcasters who accept such scripts and put them on the air. I often wonder whether the management of those stations realize they are handling commercials for nothing, or whether they're so hard put to fill their schedules that they grab at almost anything in the way of material. From her reply you can sense the assurance with which this lady sends this material over the country, perfectly confident that 198 stations out of 200 will put it on the air and advertise *a named brand of household decorative fabrics.* It's a sad commentary on the brains that make American broadcasting when such outfits as Trinity Associates can spend huge budgets in preparing beautifully illustrated and high priced advertising pamphlets and *know* that hundreds of broadcasters will advertise the product at no charge."

(*Again the NAB suggests that this matter be discussed with women's editors, homemakers, program directors, etc., because almost invariably such material is addressed to them, and not to the station manager or sales manager.*)

H. C. Morris & Co., New York, reported here last week, still seeks per-inquiry deals, playing up the "war angle." A station writes him:

"Your letter leaves us quite cold. We are very far from agreeing with you that wartime conditions are any excuse for attempting to break down the structure of radio advertising. . . ." Another station writes:

"Cost-per-inquiry business is nothing more than a racket devised by a self-glorified sales or advertising manager who wishes to build himself up in the eyes of his boss by obtaining a lot of free advertising. We see no reason why any change should be made in our policy even though our billings do fall off a little and we hope that you will receive enough protests on the matter to withhold supporting any such plan."

Howell, Soskin, Publishers, Inc., New York, reported here last week, are still seeking per-inquiry deals on a reprint of the Bill of Rights Day program, entitled "We Hold These Truths." One station comments:

"This is the most impertinent percentage deal that has ever come across my desk and I think you will want to call it to the attention of the OFF so that it officially can put a stop to this practice."

Rogers & Smith Agency, Dallas, previously reported here, this time seek per-inquiry deals again for Naughton Farms. Comments one station:

"For the last three years we have been sending this to NAB and for the last three years evidently Rogers & Smith are getting some place with the stations. We, of course, would not accept it and do hope that the NAB can stop this agency from such offers soon."

(*Again we point out that the NAB does all it can to persuade such agencies and clients to use radio on the basis of established rates, but no compulsion can be brought to bear, and the final answer rests with each station. Clients who* want *radio advertising, and who find they cannot get it on a P-I basis, generally end up by placing their orders at card rates.*)

American Drug & Chemical Co., Minneapolis, seeks P-I deals for Min-A-Vite, a "vitamin for plants." The "Victory Garden" —angle is used—a variation on the wartime theme to buy advertising at less than card rates.

American Service Pin, Los Angeles, seeks P-I deals for a pin to be sold to families with boys in the service—another effort to capitalize on the war.

Sunway Vitamin Co., although not seeking P-I deals, is sending copy to be used on 15-minute programs, but the copy does not conform to the Code. Instead of the 3 minutes 15 seconds allowed by the Code, the copy runs approximately 6 to 7 minutes, and stations subscribing to the Code should therefore insist on new copy that would conform.

OFF STATION ADVISORY COMMITTEE

The radio activities of the Federal Security Agency, of the OCD and of the Department of Agriculture, were discussed with the Station Advisory Committee on Friday, March 6. Sherman Mittell, of the FSA, outlined the function of the FSA's 4500 offices which today were acting as an employment agency for industry and farming. Many changes are taking place due to the conversion of factories from a peacetime to a wartime basis, evacuation of aliens from coast areas, and to secure the maximum use of man power it is necessary to coordinate the activities of those Government departments seeking labor and those Government departments having it available. Mr. Mittell also outlined the work of the FSA in the nutrition field, public health and defense training.

The work of the OCD was explained by E. A. Sheridan, who emphasized that the OCD must depend on the locality to organize and operate according to a pattern outlined by the OCD. The national office is trying to eliminate as many of the basic problems as possible, but must rely on the volunteer workers to carry the plans into action. It was suggested that it would be wise for broadcasters to serve on all local committees so as to become familiar with the local organization.

Wallace Kadderly, of the Department of Agriculture, expressed appreciation for the work which is being carried on by the 600 stations now carrying information from the Department of Agriculture on a regular schedule. The time which is now made available to the Department is being used very satisfactorily, and the problem is not to develop new facilities or time but to use the present available facilities along new directions.

Plans for the coming campaign of the USO were outlined by Jesse Butcher, Radio Director of the USO. At the same time, there was a general discussion of how best to coordinate the various campaigns for funds.

Those present at the meeting were as follows:

OFF—William Lewis, Douglas Meservey, Philip Cohen, Lee Falk; FSA—Sherman Mittell; OCD—E. A. Sheridan; Agriculture —Wallace Kadderly, John Baker; USO—Jesse Butcher; Station Advisory Committee—Neville Miller, John Shepard, James Shouse, George Storer, and O. L. Taylor.

RUMORS

Untrue rumors can do tremendous damage these days. They are a potent weapon used by the enemy. We know that newsmen at the stations hear many which they know are untrue, and believe should be answered. Send them in to the NAB immediately so that steps to silence them may be taken before they have done irreparable damage. Your cooperation will produce results and will be greatly appreciated.

MacLEISH TALK

Copies of speech of Archibald MacLeish, Director of OFF, made over a closed circuit on February 28, have been sent by OFF to all stations.

SCHEDULE OF FUTURE OFF TALKS

The OFF has announced the following talks to be made over the closed circuits of the four networks:

Saturday, March 14, 1:45 to 2:00 EWT
Captain Leland Lovett, Assistant Director of Press Relations, U. S. Navy Department

Saturday, March 28, 1:45 to 2:00 EWT
Representative of Army

Invitations to listen in should be limited to broadcasters and newspaper representatives.

NEWS SUGGESTION

C. W. Myers, KALE, has made an excellent suggestion to the news services: that they give a little more attention to news other than war news.

"Obviously our listeners want war news," he writes, "but quite as obviously they want a little something besides war news.

"If your news gatherers will keep their eyes open for this kind of news, as well as your excellent coverage of the war, I feel sure it will develop a little attention to news items of importance and semi-importance which keep our newscasts and our news services running when there is no war."

WAR PRODUCTION PROGRAM

Joseph Lopez, supervisor of WICC, Bridgeport, Connecticut, has submitted the following description of a successful war production program:

"Let Freedom Sing" was inaugurated over WICC on Sunday, January 5, 1942, under the sponsorship of WICC and the Sunday Herald of Bridgeport. It embraced the personnel of eight leading war industries of the Bridgeport area in a gigantic morale and entertainment effort.

With more than eighty thousand defense workers in the area, the series not only helped acquaint them with Bridgeport's leading radio station and leading Sunday newspaper but it furnished them with a tangible history of the defense industry and a tradition and community appreciation of their part and value in America's war effort.

The companies represented were makers of steel, safety valves, ammunition, shell casings and covers, communications, bullets, tool machines, and airplanes, and included Bridgeport Brass, Vought-Sikorsky, Bullards, Manning Maxwell & Moore, Stanley Works, General Electric, Jenkins Valves, and Remington Arms.

Broadcasts were presented for thirty minutes at 3:00 p. m. for eight successive weeks from the auditorium of Central High School in Bridgeport before capacity audiences of friends and co-workers numbering over 1600 weekly.

"Let Freedom Sing" was presented as a variety program; each program presented a chorus composed of workers and from eight to ten employees who performed as soloists. Auditions and choral selections were held under the supervision of a company committee and performers chosen for the broadcast period by the radio station.

Each program presented a short history of the organization concerned and an inspirational message, dramatic in character, and either choral or orchestral effect.

The whole series was presented under professional guidance, with WICC's Supervisor, Joseph Lopez, as master of ceremonies.

PROGRAM IDEA

Broadcasters desiring some material for war production programs might get some ideas from a series of bulletins on industry conversion put out by the War Production Board. They are available at the Division of Information, Office for Emergency Management, Washington, D. C.

SAVE ANTI-FREEZE

Since the anti-freeze mixtures now in auto radiators are now strategic war materials, they may not be purchaseable this fall.

The Consumer Division of OPA has requested NAB to bring this fact to the attention of broadcasting executives with the suggestion that the information be relayed to listeners.

The government says drain anti-freeze mixture from your auto radiator and put it into bottles or cans. Then store in cool corner of the cellar or garage until needed again next fall.

This will be a big service to most of your automobile owning customers.

RYAN PRAISES INDUSTRY

On Tuesday, J. Harold Ryan, Assistant Director of Censorship and NAB Director for the Seventh District, was the guest speaker at the Yale Club luncheon in Washington. Addressing himself to the problems of radio censorship in time of war, Mr. Ryan said:

"I shall not soon forget the day, December 24, 1941, that Mr. Byron Price, Director of Censorship, called me from Washington at my office in Toledo, Ohio, and said, 'I want you to come down here and take over the radio section of the Office of Censorship.' It was the beginning of a new life for me, and one does not lightly assume such diverting changes at my hour and age.

"You see, for a number of years I had been in the radio broadcasting industry—an industry which as you know has grown rapidly and flourished mightily in the last 15 years. In the radio broadcasting business, we develop a talent—almost an instinct—for saying, 'yes.' It is the password, the golden byword of our business. We say 'yes' to preachers and politicians, to Masons and Indian Potentates, to the Knights of Pythias and the church sisterhoods and brotherhoods; probably we have often said 'yes' to the Yale Alumni Society. We have opened our microphones to all sorts of free radio enterprises.

"My new job in Washington demanded that I learn to say 'no.' It wasn't a cinch.

"The Office of Censorship was created by executive order of the President. That order charges Mr. Byron Price with the obligation of keeping information of value from the enemy. Information of value can be described as any information that lends aid or comfort to the enemy. With just a cursory view, I am sure you can name a dozen types of information that would aid the enemy; news of our production progress; news of our troop movements; news of our military inventions; weather reports—because from them the enemy could chart an area for military attack.

"That, then, is the function of the Office of Censorship during this war—to keep information of value from the enemy. Unlike the George Creel Committee of the last World War, we are not concerned with the creation of news nor with its dissemination. Our aim is merely to keep out of circulation that information which might serve to further the interests of those we are opposing.

"In pursuance of that function, the radio section of the Office of Censorship devised and issued to the broadcasters of America a Code of Wartime Practices.

"This Code suggested certain lines that station operators should take in controlling the dissemination of information on their media. It is important that you understand the voluntary implications of the Code; ENFORCEMENT of the suggested provisions is left to the discretion of the broadcaster. He himself is the censor. He himself is responsible to his listeners if he, through negligence, permits his station to be utilized by the enemy. Only in the United States, of all the warring nations, is the practice of censorship a VOLUNTARY matter. There is no Goebbels in America, and there will be none.

"In our Code to the broadcasters, we suggested that certain types of news, which I outlined briefly a moment ago, be kept off the air. In addition, we felt it necessary to exercise special controls over some radio programs, which, because of their availability to the general public, appeared to be dangerous. That's why you have noticed perhaps that the remote quiz program which we in the industry call the man-on-the-street program has been taken off the air. The average man-on-the-street program plays to a small audience; usually, any Joe Doaks passing by the microphone had an opportunity to participate, if he wished to do so. This, to us, meant that an agent, determined to get information to his cohorts who were listening at some outpost, could gain access to the microphone and, through coded sentences or perhaps through the mere mention of his name and address, convey intelligence to the enemy.

"Our Code suggested, too, that the handling of request programs be altered. In the past, it has been the policy of many radio stations to conduct musical programs during which listeners were invited to call in their requests to be played. It is quite apparent that this program device made radio an available tool of the enemy. An agent, calling in his name and address and asking that Flat Foot Floogie be dedicated to his Aunt Emma, could be signalling a pre-arranged listening post that this was the night for the air raid. Our Code therefore sought the elimination of such telephoned requests.

"This Code has been in the hands of broadcasters for about six weeks. Recently a member of my staff completed a tour of the country, during which he discussed censorship with many broadcasters. I was gratified, but not surprised, to learn that the nation's broadcasters have taken special pains to live up to the letter and spirit of the Code. They appreciate the inherent possibilities in their media, and are doing all in their power to thwart any efforts on the part of the enemy to exploit radio.

"I say I am not surprised that the broadcasters so accepted the Code, in many cases at considerable financial sacrifice since its observance necessitated the cancellation of some commercial programs. In America, and in America only, the radio industry is privately owned; I believe it is the finest kind of radio in the world, offering listeners the most in entertainment and service. I believe this kind of radio MUST continue as an expression of the very principles for which we are now fighting, and have fought so many times before. Broadcasters appreciate this, too. They, you may rest assured, are going to withhold any information, however trifling, it may seem, if there is a hint that it might have its origin with the enemy and be information destined for his use.

"Although this is not a part of my job, I should like to express the hope that you and I—and all of us, as individuals—take ourselves as seriously as the broadcasters and the newspaper publishers are taking their business in these times. We can serve by censoring our own conversations, by keeping to ourselves any information which might serve the enemy. And we can serve, too, in a more positive way. I say this with some hesitation, because as I stated, our function in the Office of Censorship is strictly a negative one. But I submit to you, as my personal off-the-record observation, that perhaps we have too many downtown coaches in this war—too many sideline generals whose criticism of the war effort can do much to undermine its intent. We must have faith in our armed forces, and especially in the abilities of our military commands.

"Back in 168 B. C., Lucius Amelius Paulus was charged with the responsibility of prosecuting the Roman war in Macedonia. Before he left for the front with his armies, he called the people into general assembly in the square.

"There he told them that he knew many of them would be critical of his prosecution of the war. He told them that he expected the repercussions at home to be almost as severe, when tongues started wagging, as they were at the front, when swords started flashing. Lucius Paulus said to the people, 'If you have counsel to give me in the conduct of this war, I want it. I want your help. All I ask is this: come to Macedonia with me. Come to Macedonia with me and I shall have a ready ear for your suggestions.'

"So I say to you gentlemen here: you will do much for our effort if you act, too, as self-censors—and if you will refrain from thoughtless criticism, unless you are in Macedonia with Paulus."

WOWO FARMERS' AWARDS

WOWO, Fort Wayne, is staging its Third Annual Achievement Awards Banquet March 19. This project, originally developed by Eldon Campbell, then special events director of the stations, is rapidly becoming traditional in the WOWO area. It consists of presenting achievement award certificates to farmers and farm women pre-selected by the Purdue University Extension Division, publicizing the presentation widely both through newspaper publicity and on the air. Speeches by nation-wide household names in agriculture are broadcast from the presentation banquet by WOWO.

SUGGESTS CHECK NEW MEN

Mill March, program director, WFPG, Atlantic City, believes that new station employees having access to the microphone should undergo close investigation.

"Hiring of radio personnel, especially those who will actually be heard on the air", says Mr. March, "should be done with the most scrutinizing type of research. References, background, experience, naturalization, etc., should be checked carefully so that any enemy agents, with an impressive and persuasive manner, may not be granted positions, which would give them a medium of transferring information to foreign sources."

While this might seem a subject for Federal Bureau of Investigation assistance, it is known that FBI is everywhere over-loaded. The next best suggestion is probably securing assistance from such people as the Hooper-Holmes Bureau and Retail Credit Company. Such agencies could supply inquirers with a standard report on the morals, living habits and integrity of prospective employees.

If sufficient interest in this subject should develop NAB will be glad to work with these companies to evolve a special broadcasting investigation form designed to develop information on loyalty to the United States government, the war effort, etc.

VACUUM TUBE SALVAGE

It has occurred to many that the salvaging of material from worn-out vacuum tubes is a partial solution of the shortage of critical materials for manufacturing new tubes.

Manufacturers have told us that it costs several times the value of the material to salvage it from old vacuum tubes and put it in shape to be reused. So far, a general salvage plan has not been instituted by the manufacturers. It may be that the material shortage may become so acute that it will be necessary to use salvage material.

In the meantime, every broadcaster should save all of his old tubes and not throw them away. This procedure should, of course, be followed with all equipment.

TIRE RATIONING

In any case where Local Rationing Boards refuse recaps to station executives, engineers, technicians or workers under List "B" (a) (3) of the OPA Tire Regulations issued February 19 and effective March 2 (NAB REPORTS, February 20, p. 95), the decision should be appealed to your State Rationing Administrator at your state capital. Simply write him a letter setting forth the needs for the recap, the decision of the Local Rationing Board, and referring to List "B" (a) (3) of the Tire Rationing Regulations. You are urged to keep NAB informed of any difficulties encountered in this connection, so that matters may be taken up with OPA in Washington.

TUBE PRIORITIES

Suppliers of tubes able to make delivery on A-10 Preference Rating usually require the pin of the blown tube because of the critical shortage of copper. WPB policy is for stations to purchase tubes from any supplier able to deliver on A-10 rather than give stations any higher priority rating for use with any particular supplier unable to deliver on A-10.

BOYS ABROAD GET FAVORITE RADIO SHOWS BY SHORTWAVE

Soldiers on duty at overseas bases and battlefronts are now getting the best there is in the way of American entertainment in "Command Performance," a series of programs just launched under the auspices of the Radio Branch of the War Department Bureau of Public Relations. Each Sunday twelve shortwave transmitters, beamed at all parts of the globe, transmit the half hour broadcasts at times when the men in different parts of the world can best hear it.

Stars of radio, stage and screen are lending their talents and the nation's broadcasters are providing the facilities to bring the boys overseas a half hour of home talent each week. The programs are not broadcast in the United States but are prepared solely for shortwave transmission.

Eddie Cantor headlined the first program on Sunday, March 8. Fred Waring and his troupe are now preparing the second, and Fred Allen will be the star of the third. In each case the star is backed up with an array of the best talent available. Sports news plays an important part.

On the inaugural broadcast, along with Cantor, were Merle Oberon, Dinah Shore, Danny Kaye, Bea Wain, Bert Gordon and Harry Von Zell. The sports feature was a ringside recording of the Joe Louis-Buddy Baer fight.

On the second program with Fred Waring will be Tallulah Bankhead, Tommy Riggs and Betty Lou, Paul Douglas, sports commentator, and Joe E. Lewis, night club comedian.

"Command Performance," which offers to fill any reasonable request sent in from the American armed forces overseas. is broadcast on a staggered schedule every Sunday over WBOS, WRUL, WRUW, WCBX, WCDA, WNBI, WRCA, WGEO, WGEA, WLWO, KGEI, and WCRC.

Radio's topnotch producers are assisting the specialists of the Radio Branch in production. Vick Knight is coordinating producer for programs recorded in New York.

PEABODY AWARDS DINNER

All broadcasters and their friends will be invited this year to the George Foster Peabody Radio Awards Dinner, to be held Friday, April 10. at 7 p. m. on the Starlight Roof of the Waldorf-Astoria, New York.

The New York Alumni Society of the University of Georgia, sponsor of the dinner, will send out invitations next week. The dinner will be $5 a plate.

The Advisory Board will meet in New York March 20 to pick the 1941 award winners. These will be announced at the dinner.

Broadcasters planning a trip to New York in April might well keep in mind the April 10 date. A notable gathering is expected.

District Meetings

District 2

Clarence Wheeler, NAB Director of the Second District, has sent out a notice to all broadcasters in New York and New Jersey calling a meeting at the Hotel Roosevelt, New York City, on Friday, April 10. Representatives of the various government war agencies have been invited to send representatives to discuss mutual problems with broadcasters.

The date coincides with the George Foster Peabody Radio Awards Dinner, which will be held on the Starlight Roof of the Waldorf at 7 p. m. These dual attractions should bring out a large representation of New York and New Jersey broadcasters. This is the last of a series of meetings in the even numbered districts and a Director's election will be held for the ensuing two-year term.

District 4

A meeting of the broadcasters of District 4 was called to order on March 7 in Roanoke, Virginia, by John Kennedy, District Director.

Neville Miller, of the NAB, reviewed developments since the last regional meeting, reporting on the work of the OFF, the present legislative situation in Washington, and discussed industry problems.

The future plans of BMI were discussed by Carl Haverlin, and the meeting later passed a resolution pledging its support to BMI. Mr. Haverlin announced that he had received very encouraging support from all the broadcasters who had attended the various regional meetings held during the past two weeks. Leonard Callahan, of SESAC, gave a brief report on SESAC. Due to the grounding of planes, I. T. Cohen, of Atlanta, who was to represent ASCAP, was unable to reach Roanoke for the meeting.

John Shepard, III, of the BVC, addressed the meeting after lunch, and discussed the work of the BVC and industry problems. J. Harold Ryan, Assistant Director of Censorship, explained the work of the Office of Censorship, stating that it was a cooperative activity between that office and the radio stations. Radio censorship, he stated, has all the problems which face newspaper censorship, and in addition, other problems arising out of certain radio programs. He stated that the Code had been written in general terms because it was the desire of the Office of Censorship to carry out a voluntary cooperative censorship with the help of the stations. After Mr. Ryan's talk, there was a question and answer period. Mr. Ryan stated that regarding the man-on-the-street program, it was essential that stations maintain the method of selection of persons to be interviewed and that the station should be at all times in control of what is to be said. Other problems discussed were those raised by the itinerant evangelist, weather, spot announcements, news services and launching of ships.

A closed meeting, limited to members of the District only, was held late in the afternoon. G. Richard Shafto, of WIS, Columbia, South Carolina, was elected District Director.

A resolution was passed unanimously thanking Mr. Kennedy, the retiring Director, for his valuable services rendered as a Director during the last four years.

Industry affairs, future business prospects, and War problems were discussed and a resolution was passed requesting the Board to appoint a committee to study the management structure and finances of the NAB and report to the Convention.

The delegates were entertained by Stations WDBJ and WSLS at a cocktail party and supper at the Hotel Roanoke.

Those registered:

Burt Adams, NBC; Edward A. Allen, WLVA; Philip P. Allen, WLVA; Campbell Arnoux, WTAR; Edward E. Bishop, WGH; Walter Brown, WORD-WSPA; Leonard D. Callahan, SESAC; Howard L. Chernoff, WCHS; C. C. J. Culmer, SESAC; John H. Dodge, WRC; Edward E. Edgar, WGH; Harold Essex, WSJS and W41MM; Fred Fletcher, WRAL; Horace Fitzpatrick, WSLS; Carl Haverlin, BMI; James L. Howe, WBTM; Walter Huffington, WPID; Fred Johnstone, WSLS; Ray Jordan, WDBJ; A. E. Joscelyn, WBT; O. J. Kelchner, WMMN; John A. Kennedy, WCHS; F. D. Kesler, WDBJ; Frank E. Koehler, WSLS; C. T. Lucy, WRVA; John Mayo, Associated Music Publishers; Neville Miller. NAB; James H. Moore, WSLS; John W. New, WTAR; Paul Reynolds, WDBJ; J. Harold Ryan, Office of Censorship; G. Richard Shafto, WIS; John Shepard, 3d, Yankee Network; Alex Sherwood, Standard Radio; George W. Smith, WWVA; Joe L. Smith, Jr., WJLS-WKWK; Sol Taishoff, Broadcasting Magazine; Eddie Vann, WLOG; Jack Weldon, WDBJ; Jess Willard, WJSV; W. A. Wilson, WOPI; and Jerry Winters, WGBR.

District 8

Those registered at the recent District 8 meeting:

C. E. Arney, Jr., NAB; Hugh C. Brown, WFBM; D. A. Burton, WLBC; J. B. Conley, WOWO; Eldon Campbell, WOWO; R. R. Baker, WTRC; H. G. Wall, WIBC; F. D. Schurz, WSBT; Leo Fitzpatrick, WJR; Grant Ashbacker, WKBZ; George W. Cushing, WJR; Owen Uridge, WJR; F. A. McPhillips, WJR; Burton Adams, NBC; Hugh Feltis, NBC, Blue; John W. O'Harrow, WKZO; W. C. Wester, WKBZ; J. Harold Ryan, Office of Censorship; Forrest F. Owen, WELL; E. P. Mills, Jr., WELL; Paul H. Aurandt, WKZO; James M. Gaines, NBC; Howard Loeb, WFDF; Frank E. Chizzini, NBC Thesaurus; John E. Fetzer, WKZO; Milton Blink, Standard Radio; Lieut. Holman Faust, U. S. Navy; Edward R. Grace, Jr., Ensign, U. S. Navy Public Relations; Jack Harris, War Department; Leonard D. Callahan. SESAC; R. W. Rome, ASCAP; Carl Haverlin, BMI; Jack D. Parker, WSAM, and Milton Greenebaum, WSAM.

District 10

The following registered at the recent District 10 meeting:

Burton Adams, NBC; C. E. Arney, Jr., NAB; Larry Andrews, KICD; Ernest F. Bader, KBON; Russ Baker, WOW; Richard W. Beckman, WOI; Sam H. Bennett. KMBC; Milton Blink, Standard Radio; Hale Bondurant, WHO; Paul O. Brawner, KFNF; Harry Burke, WOW; Leonard D. Callahan, SESAC; Frank E. Chizzini, NBC Thesaurus; Tom Curran, United Press; Major Louis W. De Young, Army Public Relations; Dietrich Dirks, KTRI; Lt. James C. Douglas, Navy Public Relations; Joe DuMond, KXEL-KBUR; Ralph Evans, WHO-WOC; F. C. Eighmey, KGLO; Harold Fair, WHO; Jack Falvey, KBIZ; Lt. Holman Faust, Navy Public Relations; Hugh Feltis, Blue Network; Harold W. Fulton, WHO; John J. Gillin, Jr., WOW; Gus Hagenah, SESAC; Carl Haverlin, BMI; Jack Harris, War Department; Wick Heath, KMMJ; L. L. Hilliard, KGKY; Dick Hull, WOI; Bob Hurleigh, Associated Press; Karl Koerper, KMBC; Craig Lawrence, KSO; W. I. LeBarron, KGNF; Mrs. W. I. LeBarron, KGNF; Edmund Linehan, KSO-KRNT; Buryl Lottridge, WOC; J. O. Maland, WHO; Bill Martin, KMMJ;

Lt. Fred W. May, Army Public Relations; Foster May, WOW; Barney Oldfield, Army; Franklin O. Pease, Video & Sound Enterprises; Howard Peterson, WOW; O. H. H. Preus, KWLC; William B. Quarton, WMT; Cy Rapp, KMA; Robert K. Richards, Office of Censorship; Glenn Rippen, KMMJ; R. H. Sawyer, KMA; Don Searle, KOIL; Jack Shelley, WHO; Erle H. Smith, KMBC; Art Thomas, WJAC; C. L. Thomas, KXOK-KFRU; Mims Thomason, United Press; R. Bruce Wallace, KOIL; Art Weaver, KOIL-KFAB-KFOR; Ralph Wentworth, Lang-Worth; Woody Woods, WHO, and Jud Woods, KFAB-KFOR.

WIDE SUPPORT FOR BMI

The following statement was issued by the Board of Directors of BMI after the meeting held in New York on March 5:

"The Board of Directors of BMI stated today that the signature of BMI's new eight year contracts was proceeding satisfactorily, and that contracts covering a majority of the industry's revenue had already been executed. In addition, practically all BMI licensees have pledged their continued support both at meetings and by mail. The rate at which contracts are coming in is so conclusive a demonstration of the fact that the broadcasting industry will continue to support BMI, that Columbia Broadcasting System, Inc., National Broadcasting Company, Inc., and Blue Network Company, Inc., are paying the first six month's license fees under their new contracts in advance. Although BMI's present contracts expire on March 11th, the first payment under the new contracts, due April 20th, will be for only part of the month of March, and the first full month's payment under the new agreements will become payable only on May 20th. Moreover, BMI has not only paid the 1941 installments on the contract with Edward B. Marks Music Corporation, which constitutes the company's largest single commitment, but BMI has, in addition, already accumulated and earmarked an amount sufficient to pay all of the 1942 installments. The advance payment made by the networks is intended to obviate any stringency in cash position which would otherwise be caused by these factors."

TRANSCRIPTION FEES

AMP has retained Sydney Kaye to prosecute a test case to determine the legality, under Section 1 (e) of the Copyright Act, of recording fees for electrical transcriptions in excess of two cents per recording. If two cents is found to be the legal maximum charge it is estimated that a saving of nearly $1,000,000 annually to the industry might result. Procedural details are still under consideration.

SANDERS BILL HEARINGS

Hearings on the Sanders Bill (H. R. 5497) to amend the Communications Act will start Tuesday, April 14, it was announced Wednesday by Chairman Lea (D-Cal) of the House Committee on Interstate and Foreign Commerce. The policy of the NAB will be considered by the Board of Directors when it meets in New York on Thursday and Friday of next week.

COX RESOLUTION

The House Committee on Rules has scheduled an open hearing on the Cox Resolution for Friday, March 13. The resolution calls for an investigation of the FCC.

PRIORITY PROBLEMS

There are going to be some further problems on priorities Chairman James Lawrence Fly said at his press conference on Monday. "At least I have heard some strange rumblings in the distance," he said.

Mr. Fly said that some of the rules that have been adopted for the emergency have not been strict enough. "In other words," he said, "we may in due course face a question as to even in defense functions which defense function is paramount. While there is nothing immediately pressing on us there, but from the defense people there come suggestions of an awfully strong approach."

The Chairman said that pretty soon now attention will have to be given to FM and television, and experimental stations and the like. "Those suggestions," he said, "are not quite as clear as the standard broadcast and rules have not yet been formulated. But that is something that is just around the corner."

Discussing the WPB order on radio receiving sets, Mr. Fly said that that won't have much of an impact on standard broadcast. He said that there are some 57,000,000 radio receiving sets in the country and he said that everyone who listens to the radio has at least one set and many families have more than that. He said with the new sets available and repair parts that he does not anticipate any trouble about receiving sets.

NETWORKS' APPEAL

CBS and NBC on Monday filed appeals with the Supreme Court from the decision of the statutory three-judge court in New York dismissing their suits against the government for lack of jurisdiction. Argument probably will be heard April 27.

NEW HAMPSHIRE AND VERMONT RADIO CENSUS FIGURES

The United States Bureau of Census released radio figures for New Hampshire and Vermont Thursday, March 12.

The NAB Research Department has projected total figures of Radio Equipped Occupied Dwelling Units, following the procedure outlined in NAB REPORTS, Page 128, March 6, 1942. The figures are as follows:

NEW HAMPSHIRE

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings having Radios by County, and Cities of 2500 or more Population—Urban, Rural-Nonfarm and Rural-Farm: 1940*

	All Units			Urban Units			Rural Nonfarm Units			Rural-Farm Units		
County	Units	% Radio	Units	Units	% Radio	Units	Units	% Radio	Units	Units	% Radio	Units
Belknap	6,741	88.8	5,894	3,579	93.8	3,357	2,255	84.4	1,903	907	79.9	724
Carroll	4,443	84.5	3,754				3,654	84.9	3,103	789	82.5	651
Cheshire	9,675	88.8	8,596	3,804	93.7	3,564	4,239	86.6	3,670	1,632	83.5	1,362
Coos	9,529	89.5	8,532	4,490	92.0	4,133	3,848	89.7	3,451	1,191	79.6	948
Grafton	12,201	87.3	10,655	3,386	92.2	3,121	6,774	86.7	5,875	2,041	81.3	1,659
Hillsborough	39,180	92.0	36,048	30,800	93.0	28,651	5,856	89.2	5,221	2,524	86.2	2,176
Merrimack	15,861	90.1	14,290	8,488	95.3	8,092	5,276	84.8	4,473	2,097	82.3	1,725
Rockingham	16,511	89.9	14,844	7,112	93.9	6,679	6,298	87.8	5,527	3,101	85.1	2,638
Strafford	11,827	91.2	10,788	8,881	93.1	8,266	2,213	87.2	1,929	733	80.9	593
Sullivan	6,968	88.6	6,173	4,815	91.9	4,425	1,137	82.2	935	1,016	80.0	813
State Total	132,936	90.0	119,664	75,355	93.3	70,288	41,550	86.9	36,087	16,031	82.9	13,289

NEW HAMPSHIRE—Continued

Cities of 2500 or More Population

City	County	Units	% Radio	Radio Units
Laconia	Belknap	3,579	93.8	3,357
Keene	Cheshire	3,804	93.7	3,564
Berlin	Coos	4,490	92.0	4,133
Lebanon town	Grafton	2,121	92.6	1,964
Littletown town	"	1,265	91.4	1,157
Manchester	Hillsborough	21,038	92.3	19,421
Milford town	"	1,156	91.9	1,062
Nashua		8,606	94.9	8,168
Concord	Merrimack	6,730	95.5	6,427
Franklin	"	1,758	94.7	1,665
Derry town	Rockingham	1,579	89.4	1,411
Exeter town	"	1,538	94.0	1,445
Portsmouth	"	3,995	95.7	3,823
Dover	Strafford	3,971	94.4	3,747
Rochester	"	3,366	92.4	3,110
Somersworth	"	1,544	91.2	1,409
Claremont town	Sullivan	3,321	93.3	3,099
Newport	"	1,494	88.7	1,326

VERMONT

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
County	Units	% Radio	Units	Units	% Radio	Units	Units	% Radio	Units	Units	% Radio	Units
Addison	4,532	83.5	3,783				2,406	85.5	2,056	2,126	81.2	1,727
Bennington	6,138	91.0	5,584	2,182	96.7	2,109	2,903	88.6	2,573	1,053	85.6	902
Caledonia	6,566	88.1	5,784	2,119	95.9	2,032	2,464	88.2	2,174	1,983	79.6	1,578
Chittenden	12,684	92.6	11,748	8,534	95.7	8,163	2,311	87.8	2,028	1,839	84.7	1,557
Essex	1,678	82.8	1,390				1,078	86.7	935	600	75.8	455
Franklin	7,370	89.1	6,566	2,138	96.8	2,069	2,922	86.8	2,537	2,310	84.9	1,960
Grand Isle	931	84.9	790				421	83.9	353	510	85.8	437
Lamoille	2,852	84.6	2,411				1,643	88.7	1,458	1,209	78.8	953
Orange	4,470	80.7	3,607				2,169	86.3	1,872	2,301	75.4	1,735
Orleans	5,460	87.3	4,764	1,332	95.2	1,268	1,975	87.8	1,733	2,153	81.9	1,763
Rutland	11,789	89.3	10,528	4,580	95.2	4,361	5,066	88.1	4,464	2,143	79.5	1,703
Washington	10,589	89.5	9,482	5,747	94.2	5,412	2,761	87.6	2,419	2,081	79.3	1,651
Windham	7,365	88.9	6,544	3,622	95.9	3,475	2,038	83.1	1,693	1,075	80.7	1,376
Windsor	10,011	89.1	8,924	2,211	96.5	2,133	5,007	90.1	4,511	2,793	81.6	2,280
State Total	92,435	88.6	81,905	32,465	95.5	31,022	35,164	87.6	30,806	24,806	80.9	20,077

Cities of 2500 or More Population

City	County	Units	% Radio	Radio Units
Bennington Village	Bennington	2,182	96.7	2,109
St. Johnsbury Village	Caledonia	2,119	95.9	2,032
Burlington	Chittenden	7,138	96.0	6,851
Winooski	"	1,396	94.0	1,312
St. Albans	Franklin	2,138	96.8	2,069
Newport	Orleans	1,332	95.2	1,268
Rutland City	Rutland	4,580	95.2	4,361
Barre	Washington	3,058	93.2	2,850
Montpelier	"	2,204	95.6	2,107
Waterbury Village	"	485	93.8	455
Bellows Falls Village	Windham	1,174	96.9	1,138
Brattleboro Village	"	2,448	95.5	2,337
Springfield Village	Windsor	1,404	96.4	1,353
Windsor Village	"	807	96.7	780

*Source: Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Reports for New Hampshire and Vermont.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 1,866 Occupied Dwelling Units for Vermont, and 3,178 for New Hampshire, because answers to the radio question were not obtained in enumeration.

STATE LEGISLATION

New Jersey:

S. 110 (Stanger) MUSIC COPYRIGHTS—To regulate copyrighted vocal and instrumental musical composition monopolies. Referred to Committee on Judiciary.

SET MANUFACTURE STOPPED

The War Production Board has ordered the manufacture of radios and phonographs for civilian use to be discontinued after April 22, 1942.

The plants may complete sets on which they begin assembly work on or before April 22, 1942, under the limited production quotas provided for in the original order (L-44). They may also continue to make replacement parts.

Other than that the entire facilities of the American radio industry will be made available for war production.

The order stipulates that no manufacturer shall use more than $500 worth of parts and materials ordered after February 11, 1942. However, it does not impose any limitation on the purchase of wooden cabinets. The $500 ceiling on orders is to permit the purchase of a limited quantity of incidental items to complete production by April 22.

The WPB order (L-44-a) affects 55 companies manufacturing home receiving sets who in 1941 employed approximately 30,000 persons, produced more than 13,000,000 sets, and did a business of approximately $240,000,000. In the manufacture of these more than 13,000,000 sets for civilian use the following amounts of critical materials were used: 2100 tons of aluminum, 10,500 tons of copper, 280 tons of nickel, and 70,000 tons of steel.

War equipment to be produced by the radio industry will include airplane detection equipment, to detect approaching enemy aircraft, and transmitting and receiving equipment to enable our armed forces—on land, on sea, or in the air—to communicate with each other.

Military orders already placed for war radio equipment amount to more than one billion dollars. Orders of approximately $500,000,000 are held by the 55 companies affected by today's order; the balance are held by companies not usually engaged in the manufacture of home radio sets.

Production of home radios was originally curtailed in an order issued in January which provided that between January 23 and April 23 the large manufacturers were limited to 55 per cent of their rate of production in the first nine months of 1941, and small manufacturers were limited to 65 per cent. It is expected that under the terms of that order approximately 3,000,000 radios will be built this year before the cutoff goes into effect.

Robert Berner, Chief of the Radio Section of the War Production Board, said that the conversion will not result in unemployment for any appreciable period; in fact, employment in the radio industry will greatly increase after the switch has been made from civilian to military production. It is expected that more than 95 per cent of the conversion will be completed before June 30 of this year.

The Ordnance Branch and the Radio Section of Consumers' Durable Goods Branch of WPB, to facilitate the conversion of the smaller companies, have worked out a sub-contracting plan whereby each of the 55 companies affected by the order who is not himself a prime contractor will be assigned to a prime contractor, thus forming a series of military production "family groups." The load of producing war radio equipment will be so evenly divided that there will be work for every company, either as a prime contractor or a sub-contractor, which is capable of performing the precise operations demanded by the military. In fact, all but 13 of the 55 companies affected by the order already have military contracts of some kind. Orders for most will soon be increased and it is hoped that the 13 companies now without any military contracts will be able to obtain a part of the war business.

When the last of the 55 companies has turned out the last civilian radio, there will be in operation more than 60,000,000 radio sets in some 87 per cent of American homes.

The provision in the order for the continued manufacture of replacement parts will enable the bulk of the existing home radios to be kept in efficient operating condition during the war.

CUBAN RULES CHANGED

Methods used by the enemies of democracy "artfully and with sinuous and tortuous machinations to divide public opinion with false statements and dark rumors spread by espionage" was said by the Cuban Government to be one of the reasons prompting the recent decree regulating commercial broadcasting stations in the Republic, according to the Department of Commerce.

New regulations prohibit the broadcasting of news from sources which cannot be verified, provide for proper identification of all persons given access to microphones, close scrutiny of a political character, and prohibition of broadcasts which clearly tend to prejudice good international relations.

Other forms of regulation provided for in the decree are designed to promote betterment of culture of the people of Cuba and prestige of the Republic.

Regulations issued in 1939 were said to be insufficient to meet the new conditions of radio broadcasting because of advanced technique and the international agreements to which the Republic of Cuba had subscribed.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 16. They are subject to change.

Monday, March 16

WELL—Federated Publications, Inc., Battle Creek, Mich.—Renewal of license, **1400 kc.,** 250 watts, unlimited.

Wednesday, March 18

Consolidated Hearing

KVOA—Arizona Broadcasting Company, Inc., Tucson, Arizona.—C. P., **590 kc.,** 1 KW, unlimited, DA-day and night.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—C. P., **590 kc.,** 5 KW day, 1 KW night, unlimited, DA-night.

KVSF—New Mexico Broadcasting Co., Sante Fe, N. Mex.—C. P., **1260 kc.,** 1 KW, unlimited.

Thursday, March 19

Further Hearing

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—C. P., **1070 kc.,** 50 KW, unlimited, DA-night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WAAB—The Yankee Network, Inc., Boston, Mass.—Granted construction permit (B1-P-3194), subject to approval of directional antenna design, to increase power from 1 to 5 KW, install a new transmitter and directional antenna for day and night use, and move transmitter to Holden, Mass.;

studio to Worcester, Mass. (Has on hand all necessary materials.)

WWNC—Charles A. Webb (Transferor), Common stockholders collectively of Asheville Citizens-Times Co., Inc., Asheville, N. C.—Granted consent (B3-TC-296) to relinquishment of control of Asheville Citizens-Times Co., Inc., Station WWNC, by Charles A. Webb, through payment of accrued preferred stock dividends by licensee corporation, to common stockholders collectively.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mex.—Granted extension of special service authorization (B5-SSA-28) for a period of 60 days, to May 10, 1942.

WFBM—WFBM, Inc., Indianapolis, Ind.—Granted license (B4-L-1489) to cover construction permit (B4-ML-354) to operate on **1260 kc.**, 5 KW, unlimited time, directional antenna night; also authority to determine operating power by direct method (B4-Z-1223).

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted construction permit (B1-P-3445) to reinstate (B1-MP-322 as modified, which authorized increase in power to 5 KW, changes in equipment, installation of directional antenna for day and night use) and to cover changes in directional antenna for night use only. (Involves no use of new critical materials.)

WSIX—WSIX, Inc., Nashville, Tenn.—Granted modification (B3-MP-1526) of construction permit (B3-P-3053) conditional to protecting certain foreign stations from objectionable interference, to make changes in directional antenna and extend completion date to 60 days after grant.

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted license to operate present equipment for one year conditioned upon licensee meeting terms of construction permit within that year, and extended construction permit accordingly.

DESIGNATED FOR HEARING

J. C. Horton, Santa Ana, Calif.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit for new station (B5-P-3441).

Florida National Building Corp., Miami, Fla.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit for new station (B3-P-3372).

Associated Broadcasters, Inc., Indianapolis, Ind.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit (B4-P-3294) for new station; hearing to be consolidated with hearing on applications of WIRE requesting 50 KW on **1190 kc.**, WOWO for renewal of license and increase in power to 50 KW, WGL and WKBV for renewal of licenses.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit to change frequency from **550** to **940 kc.**, increase power from 1 KW night, 5 KW LS, to 50 KW, install new transmitter and new directional antenna for night use, and move transmitter (B4-P-3208).

KROY—Royal Miller, Sacramento, Calif.—Designated for hearing pursuant to policy with respect to new construction under present emergency, application for construction permit to change frequency from **1240** to **1030 kc.**, increase power from 100 watts to 10 KW, unlimited time, move transmitter locally and install new transmitter and directional antenna for day and night use; hearing to be consolidated with hearing on applications of KFXD, Nampa, Idaho, and KRNR, Roseburg, Ore., requesting use of the same frequency.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Designated for hearing application for construction permit (B1-P-3332) to make changes in directional antenna.

DESIGNATED FOR FURTHER HEARING

The following standard broadcast applications for construction permits, on which hearings have already been heard, were designated for further hearing upon additional issues raised by the policy with respect to new construction under the present emergency:

Park Cities Broadcasting Co., Dallas, Tex.—For a new station to operate on **710 kc.** with power of 5 KW, unlimited time (Docket 5967).

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—To change frequency from **1280** to **710 kc.** (Docket 5859). Now operates with power of 1 KW night and 5 KW day.

WHB—WHB Broadcasting Co., Kansas City, Mo.—To change frequency from **880** to **710 kc.** (Docket 6022). Now operates with 1 KW daytime.

Camden Broadcasting Co., Camden, N. J.—For new station to operate on **820 kc.** with 500 watts power, daytime (Docket 6009).

WICA—WICA, Inc., Ashtabula, Ohio.—To install new transmitter and increase power from 1 KW daytime, to 5 KW day and 1 KW night, unlimited time (Docket 6120). Operates on **970 kc.**

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—To change frequency from **1490** to **970 kc.**, and increase power from 250 watts to 5 KW, unlimited time (Docket 6121).

Scripps-Howard Radio, Inc., Houston, Tex.—For new station to operate on **1230 kc.** (Docket 6088).

Texas Star Broadcasting Co., Houston, Tex.—For new station to operate on **1230 kc.** (Docket 6089).

Greater Houston Broadcasting Co., Inc., Houston, Tex.—For new station to operate on **1230 kc.** (Docket 6096).

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—For a synchronous station at Scranton, Pa., to operate with 100 watts (Docket 6039). WBRE operates on **1340 kc.** with 250 watts, unlimited time.

Dorman Schaeffer, Klamath Falls, Ore.—For a new station to operate on **1400 kc.** with 250 watts, unlimited time (Docket 6091).

Herald Publishing Co., Klamath Falls, Ore.—For a new station to operate on **1400 kc.** with 250 watts, unlimited time (Docket 6090).

South Florida Broadcasting, Inc., Miami, Fla.—For a new station to operate on **1450 kc.**, with 250 watts, unlimited time (Docket 6153).

West Allis Broadcasting Co., West Allis, Wis.—For a new station to operate on **1480 kc.** with 250 watts, daytime (Docket 6098).

Robert V. Lee, Bradenton, Fla.—For a new station to operate on **1490 kc.** with 250 watts power (Docket 5944).

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—To change frequency from **1230** to **1440 kc.** and increase power from 250 watts to 1 KW, unlimited time (Docket 5994).

KNOE, Inc., Monroe, La.—For a new station to operate on **1450 kc.** with 250 watts, unlimited time (Docket 5995).

MISCELLANEOUS

The Radio Voice of New Hampshire, Inc., Portable-Mobile, area of Manchester, N. H.—Granted construction permit for new relay broadcast station; **1646, 2090, 2190, 2830 kc.;** 15 watts (B1-PRY-272).

United Broadcasting Co., Cleveland, Ohio.—Granted construction permit for new relay broadcast station; **31620, 35260, 37340, 39620 kc.;** 50 watts (B2-PRE-420).

Wichita Broadcasting Co., Portable-Mobile, area of Wichita Falls, Tex.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.;** 50 watts (B3-PRY-273).

WTNK—WOAX, Inc., Portable-Mobile, area of Trenton, N. J.—Granted license for reinstatement of relay broadcast station license which expired October 1, 1941 (B1-LRY-253).

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted modification of construction permit as modified for new high frequency broadcast station, for extension of completion date only, from March 14, 1942, to September 14, 1942 (B4-MPH-72).

WCBX—Columbia Broadcasting System, Inc., Brentwood, N. Y.—Granted license to cover construction permit as modified, for increase in power, installation of new equipment, move of transmitter and change in frequencies (B1-LIB-22) (International Broadcast station).

Banks of the Wabash, Inc., Portable-Mobile, area of Terre Haute, Ind.—Granted construction permit for new relay broadcast station; **1622, 2058, 2150, 2790 kc.;** 40 watts (B4-PRY-271).

KSTP, Inc., St. Paul, Minn.—Granted construction permit for new relay broadcast station; **156750, 158400, 159300, 161100 kc.;** 50 watts (B4-PRE-419).

KEIV—Nichols and Warinner, Inc., Portable-Mobile, area of Long Beach, Calif.—Granted license for reinstatement of relay broadcast station license which expired December 1, 1941 (B5-LRE-379).

WIBA—Badger Broadcasting Co., Madison, Wis.—Granted license to cover construction permit as modified for new transmitter, changes in directional antenna system, for night use, and move of studio and transmitter (B4-L-1618); granted authority to determine operating power by direct measurement of antenna input (B4-Z-1350).

R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co., Tennessee Radio Corp. (both of Nashville, Tenn.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6191 and 6193) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Air-Waves, Inc., Louisiana Communications, Inc. (both of Baton Rouge, La.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6155 and 6157) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Newark Broadcasting Corp., Newark, N. J.—Ordered that the records in the matter of applications for new stations (Docket No. 6190) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Utica Broadcasting Co., Inc., Midstate Radio Corp., Utica Observer-Dispatch, Inc. (all of Utica, N. Y.)—Ordered that the records in the matter of applications for new stations (Docket Nos. 6140, 6141 and 6043) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Jefferson Broadcasting Corp., George Johnston, Jr., WBAM, Inc. (all of Birmingham, Ala.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6134, 6147, 6150) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

Hennessy Broadcasting Co., Barclay Craighead (both of Butte, Mont.).—Ordered that the records in the matter of applications for new stations (Docket Nos. 6131 and 6132) be reopened for further hearing, in accordance with Commission's policy adopted February 23, 1942, regarding use of critical materials under present emergency.

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—On its own motion the Commission supplemented notice of issues in Docket 6082, and ordered retention of present hearing date—March 18, 1942.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—On its own motion the Commission supplemented notice of issues in Docket 6142, and ordered retention of present hearing date—March 18, 1942.

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—On its own motion the Commission supplemented notice of issues in Docket 6143, and ordered retention of present hearing date—March 18, 1942.

W3XPP—National Broadcasting Co., Inc., Philadelphia, Pa.—Granted modification of construction permit as modified, for new television station, for extension of commencement and completion dates from September 3, 1941, and March 3, 1942, to six months from respective dates.

WNBW—National Broadcasting Co., Inc., Washington, D. C.—Granted modification of construction permit for new commercial television station for extension of commencement and completion dates for a period of six months.

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Granted modification of construction permit (B1-P-2955, as modified) for new transmitter, installation of directional antenna for day and night use, increase in power and move, for extension of completion date from February 28 to April 30, 1942 (B1-MP-1521).

WMAS—WMAS, Inc., Springfield, Mass.—Granted motion to dismiss without prejudice application for construction permit to operate on **910 kc.**; 1 KW, unlimited time; DA-day and night.

James F. Hopkins, Inc., Ann Arbor, Mich.—Granted petition for leave to amend application for new station to specify 250 watts power, site and antenna systems to be determined, and change in equipment.

KWFT—Wichita Broadcasting Co., Wichita Falls, Tex.—Granted motion for 30-day postponement of hearing now set for March 13, in re modification of license to operate on **620 kc.**, 5 KW, unlimited time; DA-night and day, and hearing continued to April 10.

APPLICATIONS FILED AT FCC

550 Kilocycles

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Modification of construction permit (B5-P-2422) as modified for new transmitter, directional antenna, increase in power and move of transmitter, requesting extension of completion date from 4-1-42 to 6-1-42.

560 Kilocycles

WIS—The Liberty Life Insurance Co., Columbia, S. C.—Modification of license to change name to the Surety Life Insurance Company.

570 Kilocycles

KUTA—Jack Powers, David G. Smith, Frank C. Carman, and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Modification of construction permit (B5-P-2342) as modified, for installation of new transmitter, directional antenna for day and night use, change in frequency, increase in power and move of transmitter, requesting extension of completion date from 3-26-42 to 5-25-42.

600 Kilocycles

WCAO—The Monumental Radio Co., Baltimore, Md.—Modification of construction permit (B1-P-3024) as modified, for increase in power, move of transmitter, new transmitter and installation of directional antenna, requesting extension of completion date from 4-8-42 to 8-8-42.

KROD—Dorrance D. Roderick, El Paso, Tex.—License to cover construction permit (B3-P-3275) to install new transmitter.

800 Kilocycles

NEW—Chattanooga Broadcasting Corp., Chattanooga, Tenn.—Construction permit for a new broadcast station to be operated on **1420 kc.**, 250 watts, unlimited hours. Amended: to make changes in transmitting equipment, changes in proposed antenna system, change frequency to **800 kc.**, 1 KW daytime and omit request for facilities of WAPO when vacated.

930 Kilocycles

WJAX—City of Jacksonville, Jacksonville, Fla.—Construction permit to change power from 1 KW night, 5 KW day to 5 KW, make changes in equipment and install directional antenna for night use. Amended: to make changes in proposed directional antenna.

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—License to cover construction permit (B3-P-3316) as modified for a new broadcast station.

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Authority to determine operating power by direct method.

950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Authority to determine operating power by direct method.

1060 Kilocycles

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Construction permit to change frequency from **1400** to **1060 kc.**, power from 250 to 500 watts night, 1 KW day, install new transmitter and antenna. Amended: to request **960 kc.**, 1 KW, changes in antenna and facilities KROW, contingent on KROW's change in frequency.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Modification of construction permit (B5-P-2803) for increase in power, new transmitter and directional antenna for night use and move transmitter, requesting increase in power from 5 to 50 KW, change frequency from **960** to **1060 kc.,** install new transmitter and directional antenna for night use and move transmitter.

1190 Kilocycles

KEX—Oregonian Publishing Co., Portland, Ore.—Special service authorization to operate on **1190 kc.** with power of 10 KW, new transmitter, vertical antenna period ending 1-1-43.

1230 Kilocycles

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—License to cover construction permit (B5-P-3144) for new transmitter, antenna, change in power and frequency and hours.

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—Authority to determine operating power by direct method.

1310 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Modification of construction permit (B3-P-2641) as modified, for move of transmitter, increase in power and installation of directional antenna for night use, requesting extension of completion date from 3-23-42 to 6-23-42.

1340 Kilocycles

NEW—Sunland Broadcasting Corp., DeLand, Fla.—Construction permit for a new broadcast station to be operated on **1340 kc.,** 250 watts, unlimited time.

WEIM—Ruben E. Aronheim, Fitchburg, Mass.—Authority to determine operating power by direct method. Amended: re new supplemental forms.

1450 Kilocycles

WJPA—Washington Broadcasting Co., Washington, Pa.—License to cover construction permit (B2-P-3088) as modified, for a new broadcast station.

WJPA—Washington Broadcasting Co., Washington, Pa.—Authority to determine operating power by direct method.

KWBW—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—License to cover construction permit (B4-P-3306) for increase in power, changes in equipment.

KWBW—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Authority to determine operating power by direct method.

1520 Kilocycles

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind. —Modification of construction permit (B4-P-2399) for change in hours of operation and changes in directional antenna for day and night use, requesting extension of completion date from 3-29-42 to 5-30-42.

NEW—Eastern Broadcasting Co., Patchogue, N. Y.—Construction permit for a new broadcast station to be operated on **1300 kc.,** 250 watts, unlimited time. Amended: to request **1520 kc.,** 1 KW, limited time WKBW, new transmitter, antenna changes and studio and transmitter sites to be determined, Long Island, N. Y.

FM APPLICATIONS

NEW—M. A. Leese Radio Corp., Washington, D. C.—Construction permit for a new high frequency broadcast station to be operated on **47100 kc.;** population, 899,946; coverage, 5,600 square miles. Amended: to change name to The Evening Star Broadcasting Co.

W67NY—Columbia Broadcasting System, Inc., New York, N. Y. —Modification of construction permit (B1-PH-55) as modified, for a new high frequency broadcast station, requesting extension of completion date from 3-28-42 to 9-14-42.

W47C—WJJD, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-17) as modified, for a new high frequency broadcast station, requesting extension of completion date from 4-28-42 to 7-28-42.

NEW—Eugene P. O'Fallon, Inc., Denver, Colo.—Construction permit for a new high frequency broadcast station to be operated on **46500 kc.;** population, 45,797; coverage, 1403 square miles. Amended: to request coverage: 1361 square miles; population, 430,402.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PH-73) as modified for a new high frequency broadcast station, requesting extension of completion date from 3-10-42 to 5-10-42.

TELEVISION APPLICATION

NEW—General Electric Co., Portable-Mobile.—Construction permit for a new experimental television relay broadcast station to be operated on **312000-324000 kc.,** 25 watts (peak), emission A5 (to be used with commercial television station WRGB).

NEW—Balaban and Katz Corp., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 2, **60000-66000 kc.,** ESR 25.2, aural, maximum 2 KW, visual, maximum 4 KW. Amended: to change ESR to 796.

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23) as modified, for a new television broadcast station, requesting extension of completion date from 4-28-42 to 10-28-42.

MISCELLANEOUS APPLICATIONS

NEW—Houston Printing Corp., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.,** 100 watts, emission A3.

WIEH—Knickerbocker Broadcasting Co., Inc., Mobile.—Voluntary assignment of license to WMCA, Inc.

WEIQ—Knickerbocker Broadcasting Co., Inc., Mobile.—Voluntary assignment of license to WMCA, Inc.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Associated Merchandising Corp., New York, Owens Staple-Tied Brush Co., Toledo, and 21 retail department stores operating in 17 cities, are charged in a complaint with misrepresentation in connection with a plan jointly carried out in the sale of the "P & S" brand of tooth brushes. (4719)

Associated Laboratories—A complaint has been issued charging three individuals, trading as Associated Laboratories and having their principal place of business at 4609 Nicollet Ave., Minneapolis, with misrepresentation in the sale of "Gordon's Detoxifier," a device advertised as an irrigator designed for cleansing the bowels and intestines. (4722)

Champion Specialty Company—A complaint has been issued charging Mrs. Ann B. Goldstein, trading as Champion Specialty Co., 814 Central St., Kansas City, Mo., with the use of lottery methods in the sale of drug sundries, novelties and premium merchandise. (4723)

General Motors Corp., Detroit, in a complaint, is charged with misrepresentation in the sale of a fog lamp for use on automobiles. (4724)

Kimble Glass Co., Vineland, N. J., manufacturer of glass tubing and test and control apparatus for the dairy industry, is charged in a complaint with price discrimination in violation of the Robinson-Patman Act. (4725)

National Progress League, 104 South Michigan Ave., Chicago, and its officers, Frank J. Mackey and Harold C. Sherman, has been charged with deceptive use of the name "Military Order of the Purple Heart" in promoting the sale of sets of history books designated "Progress of Nations" and "Forward March." (4721)

Whitehall Pharmacal, Inc.—A complaint has been issued charging Whitehall Pharmacal, Incorporated, 257 Cornelison Ave., Jersey City, N. J., with misrepresentation in connection with the sale of a medicinal preparation designated "Aspertane." (4718)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Heroline Co., Inc., 201 Mitchell St., S. W., Atlanta, dealer in cosmetics, medicinal preparations, "curios," and "charms," has been ordered to cease and desist from misrepresentations in the sale of its products. Bert H. Rubin, the corporation's president, also is named a respondent. (4339)

International Parts Corp., 1814 South Michigan Ave., Chicago, has been ordered to cease and desist from misrepresentation in the sale of replacement mufflers for use on automobiles. (4513)

Parfums Ronni, Inc., 18 West 20th St., New York, has been ordered to cease and desist from certain representations in connection with the sale of a cosmetic preparation variously designated as "Ronni Mascara," "Ronni Cream Mascara," "Mascara by Ronni" and "Mascara." (4569)

Williams Candy Co., 2819 Monroe Road, Charlotte, N. C., has been ordered to discontinue selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. (4232)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Bureau of Credit Control, Inc., and its president, Louis Possenheim, Rives-Strong Building, Los Angeles, stipulated that they will cease and desist from certain representations in connection with the sale of systems of collection letters generally designated "Delinquent Account Control System." The respondents trade under such names as Bureau of Credit Control, Accounts Receivable Control Service, Delinquent Account Control System, and Credit Collection Control. (02953)

Club Razor & Blade Manufacturing Corp., 36 Green St., Newark, N. J., wholesaler of "Fan" brand razor blades, has entered into a stipulation to discontinue using on the containers of its razor blades or in advertising matter any price marking or purported retail selling price which is fictitious, exaggerated or in excess of the price for which such products are customarily sold in the usual course of retail trade. (3420)

Curtis Shoe Co., Inc., Marlboro, Mass., entered into a stipulation to cease and desist from use of the word "Stetson" in connection with the branding, labeling or advertising of its shoes, the effect of which tends to convey to purchasers the belief that such shoes are made by or for or in accordance with the standards and specifications of the Stetson Shoe Co. Inc., of Weymouth, Mass. The respondent company also agrees to stop employing the word "Hinchley & Haig, Bootmakers, Ltd.," or "Piccadilly British," or any other words customarily identified with the British Isles, to describe or refer to its domestic shoes, the effect of which tends to convey the impression that such shoes are of British origin. (3421)

Honoroff Laboratories, Inc., 2448 South Prairie Ave., Chicago, and its president, Fred A. Honoroff, stipulated that, in the sale of an analgesic preparation designated "Effervescent Seltzer," they will cease and desist from disseminating any advertisement which fails conspicuously to reveal that the preparation should not be used in excess of the dosage recommended, since such use may cause dependence upon a drug, skin eruptions, mental derangement or collapse, and that it should not be taken by or administered to children; provided, however, that the advertisement need contain only the statement "Caution: Use only as directed," if the directions for use wherever they appear in the labeling contain a caution or warning to the same effect. The respondents further agree to discontinue selling "Effervescent Seltzer" in containers which simulate in appearance the containers in which competing merchandise is sold. (3419)

Hygeia Filter Co., 3422 Denton Ave., Detroit, manufacturer of a line of water filters including a stone type called "Lynn Filter," stipulated to cease representing that its filters are "absolutely germ proof," capable of rendering river water absolutely sterile, absolute proof against typhoid, diphtheria, cholera, malaria or dysentery germs, or have been approved by "leading authorities on sanitation." The respondent also agrees to cease representing that ice made from water filtered by devices such as it sells can be used without the least danger of contamination; that clothes laundered in filtered water do not require bleaching to be properly whitened or to remove stains, and that "the same water" circulated through such filters can be used in a swimming pool for a month or more with "perfect safety." (3416)

Mellus Bros. & Co., Inc., 305 East Fourth St., Los Angeles, stipulated that in the sale of tents, tarpaulins or other products made of duck or canvas, it will cease designating or indicating as the weight of the fabric or material thereof any weight in excess of the weight per square yard of the original grey goods used in manufacturing the products, and will discontinue employing any figures, words or symbols in sales promotional literature or in stamps or labels which tend to create the impression that the weight per square yard of the original grey goods used is in excess of the true weight thereof. The stipulation points out that in the cotton duck or canvas products industry the weight of a duck or canvas product indicates the weight on a square yard basis of the original grey goods used in making the product. (3417)

Mutual Welfare Correspondence Club, San Francisco, entered into a stipulation to cease representing, in the sale of memberships in the club and lists of names purporting to be club members, that her statements relating to the financial standing, education, character, age, occupation or profession of those names which appear on such lists are other than the mere statements of those persons themselves, in the absence of some responsible investigation into the truth or falsity of such statements. (02954)

Thermwool Products Co., Inc., 1261 Broadway, New York, manufacturer of rugs, carpets, ironing pads and mats, entered into a stipulation to cease and desist from use of the word "wool" with the word "Therm" as part of the corporate or trade name under which it sells products not composed of wool; and from use of the word "wool" either alone or with the word "Therm," or with other words, to imply that such products are composed of wool. (3418)

Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 12, March 20, 1942

COX RESOLUTION

The House Rules Committee now has held two open meetings, and probably will hold at least one more, on a resolution introduced by Representative Cox (D-Ga.) calling for a House investigation of the FCC.

Chairman James Lawrence Fly of the FCC and Representative Wigglesworth (R-Mass.) have participated.

The charges on which Fly said he would like to be heard included alleged mispractices in FCC administration and circumvention of the intention of Congress.

Fly was subjected to a crossfire of questions as soon as he took the stand following Representative Wigglesworth, who backed the Cox request for the inquiry.

To Wigglesworth's charges that the commission had failed to break up monopolies, Fly referred to a recent order seeking to sever the Red and Blue Networks of the National Broadcasting System and "return control of the stations to their owners."

The commission, he said, has undertaken a study of the problems involved in joint newspaper-radio ownership but has made no findings. There remained a question, he said, whether the commission had authority in this field.

Fly emphatically replied "No" when Cox asked whether Fly and other commission members had not proceeded in the case with the intention of banning joint ownership. He denied that he ever had contended the commission had authority in the matter and said "there is a serious question as to whether the commission can do anything about it," if it should develop that something should be done.

Fly was questioned sharply on failure of the commission to dismiss Goodwin Watson, chief analyst of the foreign propaganda section, after the House had refused to appropriate funds for Watson's salary.

"Aren't you concerned about the intent of Congress?" asked Representative Nichols (Democrat), of Oklahoma.

"Yes," replied Fly. "I think I'm under a duty to give to Congress all the facts bearing on the matter before a final decision is made. The commission felt the Senate committee ought to see the man and hear him."

Fly added that he held "no brief" for Watson and "frankly I don't believe in all the things he has said.

"When the House of Representatives finally acts on it, we will be inclined to obey," he added.

"We'll certainly act," commented Nichols.

Wigglesworth had told the committee it was "perfectly shocking" to keep Watson on the commission payroll in view of the House action and in view of his purported beliefs and principles.

It was at this juncture that Cox commented that if all commission employes similar to Watson were discharged, the commission staff would be virtually halved.

"There are more fellow travelers and more revolutionists" in the FCC than in any other agency, Cox added. Wigglesworth accused the commision of having failed to take proper steps to prevent monopolies. He said the three large broadcasting systems, Columbia, National and Mutual, controlled all the clear channels and that 95 per cent of the available power and 40 per cent of the time of their affiliates was controlled by the chains. From 60 to 100 per cent of the earnings of the member stations from the chain-controlled time, Wigglesworth said, went to the chains.

At his second appearance before the committee on Wednesday of this week, Mr. Fly was questioned at length about the lack of public confidence in the commission.

"Any lack of confidence must be laid to the radio trust," he said.

He denied that there had been any "dissension" within the commission since he took office, adding that there had been some "differences of opinion."

Asked whether the commission had not used its licensing power to effectuate its policies, Mr. Fly said only once, in the network "monopoly" case.

When Mr. Cox asked him about the FCC "Gestapo," Mr. Fly said such accusations were false, that the FCC had only nine investigators. Nevertheless, Mr. Cox accused the FCC of "terrorizing small operators" through the use of investigators.

Mr. Fly told the committee that the so-called "Georgia Tech" case was behind the resolution, and proceeded to describe some of the aspects of that case. Mr. Cox replied that he knew of this case only by rumor, and that "this resolution has no connection with the Tech station."

Asked whether he was in favor of a hearing on the Sanders bill, Mr. Fly said that "other things are more important" but that he would be happy to answer questions if the Interstate Commerce Committee cared to hold hearings.

Asked about the FCC's lobbying activities against the Cox resolution, Mr. Fly said he had done no lobbying.

"Do you mean to say you have no knowledge of any efforts to shut off this investigation?" Mr. Cox asked.

Mr. Fly said he did not.

Asked whether he objected to this type of an investigation, Mr. Fly said he did; that he didn't think it wise to spend time that way when there were so many important things to be done, unless there were specific charges to be investigated.

The FCC was busy with the war effort, he continued, so busy that proposed investigations of super-power and clear channels had been postponed for the duration. The newspaper hearings were nearly completed, he added, and, although the issue had not yet been determined, present newspaper owners need not worry. They were in a "cozy position," he said, because the FCC had no intention of taking away their licenses—while there now could be no new building of any sort unless it was to furnish primary coverage to an area that did not now have such.

SAUTHOFF PROPOSES TAX ON ADVERTISING

Representative Sauthoff (P—Wis.) on Thursday proposed to the Ways and Means Committee that it impose a tax on newspaper and radio advertising. He asserted that such a tax was justified, in the case of newspapers, because they enjoy an annual subsidy of $90,000,000 by reason of the second class mail privilege. Another source of advertising which enjoys a special privilege from the government, he stated, is radio, and he suggested that the government "exact a fee for this form of advertising." The amount of the fee he left to the "good judgment" of the Committee.

WOULD BAN LIQUOR ADS

On Friday Representative Rankin (D-Miss.) introduced a bill (H. R. 6785) to prohibit the advertising of alcoholic beverages

(Continued on page 160)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

WOULD BAN LIQUOR ADS

(Continued from page 159)

over the radio. It was referred to the Committee on Interstate and Foreign Commerce. The Johnson Bill (S. 517) to the same end is pending in the Senate. NAB will oppose both measures.

The bill is as follows:

A Bill

To amend the Communications Act of 1934, as amended, so as to prohibit the radio advertising of alcoholic beverages

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934, as amended, is amended by inserting after section 316 thereof a new section as follows:

"ADVERTISING OF ALCOHOLIC BEVERAGES

"SEC. 316A. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person operating any such station shall knowingly permit the broadcasting of any advertisement of any alcoholic beverage. Any person violating any provision of this section shall, upon conviction thereof, be fined not more than $1,000 or imprisoned not more than one year, or both, for each day during which such offense occurs."

Morale

In response to the idea that station executives exchange morale building suggestions through the medium of NAB REPORTS, permits the presentation of those below.

Morale, being an inclusive term, would necessarily be expected to produce wide interpretations, and this is the case. Other suggestions are solicited from stations because the morale situation is open to betterment.

Suggestion from WDOD

Dorothy W. McCurdy, program manager, WDOD, Chattanooga, Tenn., says: "You requested in your letter of February 28, that we pass along to you any ideas which we might have for morale building. I believe that the best way to do this is to itemize the programs which we have going and intend to start in the near future which we believe are fair ideas.

"1. Believing that the time has come to definitely forget the talk of 'defense' and 'complacency', WDOD is beginning a new 'Civilian Offense' show. The American people have shown that they want to *do*—that they want to *help*—and that they haven't the slightest idea what or how to do.

"It is our thought to clear up this situation as soon as possible for our listeners, by working in conjunction with the War Information Center of our public library.

"This will be a series of 13 programs, 30-minutes each, weekly. This series will include programs on Health, Nutrition, Blackout Preparations, the Farmer, Evacuation of Civilians, Defense Bonds, Victory Gardens, Rationing, et cetera. All of these shows will be presented in an entertaining yet calm pattern. The base of the shows will be dramatic.

"It is the ultimate goal of WDOD that the people of the Tennessee Valley, the non-combatants, will know how and where to hit the enemy after our Offense Show is aired.

"2. In connection with the colored alliance of our city we are airing a 15-minute weekly program, directed to the colored people of our area, informing them just what their race is doing in the war and showing them how those at home can help. We are of the firm belief that these colored people can appeal to their own people much better than we can appeal to them. They are certainly being cooperative. . . .

"3. Through the local Red Cross Chapter, we are giving a 15-minute weekly dramatic skit, using professional talent, with sound effects, all in all a real little production! In these skits are tiny First-Aid ideas. We are not endeavoring to give the First-Aid class or anything of the sort; but just tiny things that the average person doesn't know which can be of use in the home, school, sports fields, et cetera. . . .

"4. As morale builders, we have two 30-minute programs now scheduled weekly on the station which are variety programs as far as the public is concerned, but the excuse for the programs and the highlight of each program is an interview with an unusual and interesting draftee from Fort Oglethorpe on one program, and on the other an interview with a man who has just been recruited on that day by the Army, Navy, Marine, or Coast Guard.

"5. As a morale builder for the armed forces, we are beginning next week a 30-minute weekly program, given by the talent from Fort Oglethorpe. This broadcast will be by remote control so that the soldiers from the Post may see the show and be afforded some entertainment. The boys have auditioned their talent, which is good. They have an agency man who is writing the script, an announcer from Michigan, and, all in all, it seems that it is going to be an excellent program."

Suggestions from WBIG

Major Edney Ridge, director of WBIG, Greensboro, N. C., and his staff are engaged in uplifting morale on their home front in a variety of ways. The station is putting strong promotion effort behind the Don Nelson talks. When not carried by his network, he has arranged a rebroadcast by Mayor Huger S. King.

The station has inspired personnel heads of department stores and other organizations employing large numbers of people meeting the public to cooperate in an initial morale building effort. The first piece was an article published in "Everything," station house organ, emphasizing the importance for retail to keep optimistic.

"First—let's don't be calamity howlers! Don't grumble and complain that 'I just don't know when we'll have any more of this product—the ships aren't bringing in any more.' Or, 'the Government won't let them make it.' That is a good way to break down morale. Instead, tell them, 'there is a temporary shortage, but something will be manufactured soon to replace this item'—and you may also add that 'conditions are better here than for any other people on earth.' This will be no exaggeration for there will eventually be substitutes for all restricted items—and always, as long as we are a free people under the red, white and blue, we will have more than any other people on earth."

Music Found Important

The station is stressing the importance of music in the war effort. Margaret Banks, WBIG musical director, has distributed over 100 copies of "Music In the War Effort" (sample copy which was distributed by NAB and which is available at the Radio Branch, Bureau of Public Relations, War Department) to the public schools in the city and county and to every musical group in the area.

The Major believes that this will result in much good and that radio will receive benefit for a long time to come by this ground work.

Suggestion from WBT

Charles H. Crutchfield, program director, WBT, Charlotte, N. C., suggests the idea of short dramatizations which show the effect of civilian discussion of military information.

"To be specific," he wrote, "why wouldn't it be advisable to transcribe a batch of one-minute transcriptions similar to those pointed out in the attached script? There are hundreds of instances which could be dramatized simply and effectively, and I think you will agree that such dramatizations could be used by all stations large and small."

Mr. Crutchfield attached a script which was written and produced at WBT and broadcast 8:00 to 8:15 p.m. This was written by one of the station engineers, Ed Stone. To illustrate a section of this script follows:

Music: (Weird chord).

Announcer Echo: Don't talk!

Music: (Up and fade to).

Sound: (Construction noises).

Jim: Hey, Hank!

Hank: (Off Mike.) Yeah?

Jim: Let's take off five minutes and get a beer!

Hank: Ok! (Pause while coming into Mike.) Say, I could go for a scuttle right now—boy, it's hot!

Jim: Yeah. Got a cigarette?

Hank: Sure. (Pause.) Now, where in the devil did I put those—aw, nuts—I left 'em in my coat pocket!

Jim: Well, never mind—I'll get some at the commissary.

Man: Pardon me, bud—have one of my smokes?

Jim: Huh? Oh—uh, thanks.

Man: How about you?

Hank: Yeah, thanks—believe I will.

Man: Quite a job going on here.

Jim: Mister, you said it! The way they're pushing it you'd think they was scared it'd get dark before they finished it!

Man: Pushing it through, eh?

Jim: I'll say!

Hank: Yeah—the way we're going we ought to beat our contract by at least four months.

Man: Hm-m-m-m! You boys *must* be hopping! Uh—I believe they're going to build tanks here, aren't they?

Hank: That's right—and armored cars.

Man: I suppose the first machinery should be coming in pretty soon, eh?

Jim: Sure—we've got the east wing ready for installations now. Some of the presses are here already.

Man: Say—that's what I call making real time! Come on, let me buy you fellows a beer—I'm getting thirsty.

Hank: Fair enough! We were just on our way to get one.

Man: Fleming is my name. (Control begin fade.)

Jim: Glad to know you. I'm Jim Arnold. This is Hank Wallace.

Man: Glad to know you.

Hank: Same here.

Likes "You Can't Do Business"

Jack W. Hawkins, general manager, KIUM, Pecos, Texas, writes: "Just a word to let you know that YOU CAN'T DO BUSINESS WITH HITLER is our idea of the best darn defense program on the air. Keep 'em coming."

NAB BOARD MEETS

NAB Board of Directors meets Thursday and Friday of this week in New York.

Radio Training to Expand

Assurance that the broadcasting industry would soon be called upon again for cooperation in the nation's radio technician training program was forthcoming from official quarters late Thursday afternoon, March 19. Official military orders are now in process of distribution throughout the United States. Though informed of the details, it is naturally politic to refrain from releasing them until the order itself has been received. At the present time, and until one or two other details are worked out, it will not be suggested to stations how they may help.

Please destroy all announcements (except office copies) in your hands having to do with the technician training program. Doing this now will eliminate the possibility of using them in error at a later time.

Since last week the following schools have been approved for either initial or additional courses:

California
California Institute of Technology

Georgia
Georgia School of Technology (additional)

Illinois
Illinois Institute of Technology (additional)

Ohio
University of Akron (additional)
University of Dayton (additional)

Oklahoma
University of Oklahoma (additional)

Oregon
Oregon State College (additional)

Pennsylvania
University of Pittsburgh (additional)

Tennessee
Vanderbilt University (additional)

Texas
Southern Methodist University (additional)

Wyoming
University of Wyoming (additional)

District of Columbia
Catholic University
Howard University

185 in Northern California Courses

C. L. McCarthy, KQW, San Francisco, and Howard Lane, Industry Representative, have received a report on the status of radio technician training in the San Francisco area. It was provided by Eugene L. Grant, School of Engineering, Stanford University, ESMDT Institutional Representative. He reported that 100 are in training on the Stanford campus, 45 in Eureka and 40 in San Francisco.

The organization meeting of the San Francisco section was held on March 5 when 480 attended in the Pacific Gas & Electric Co. auditorium. Mr. Grant explained that they were equipped to train only 40 of the 480 at the moment and have started their training courses at the Samuel Gompers Trade School. Since that time authorization has been received to proceed with the organization of other sections in San Francisco, and it is hoped to have them under way early in April. At the present time 185 are being trained by Stanford University.

WOR Reports 3,613 Inquiries

Jack Poppele, chief engineer, WOR, reports that WOR distributed radio technician training inquiries from 28 states. The 3,613 letters were received in approximately seven days.

WOWO-WGL Reports Backlog

Ft. Wayne, Ind., has a big backlog of applicants for the radio technician training course. By the first of February WOWO-WGL had received over 500 inquiries and, as reported in last week's bulletin, six sections with an enrollment of 120 had been set up under Purdue University.

466 in Northern Ohio Courses

Prof. H. E. Nold, Ohio State University and State Coordinator, and John F. Patt, WGAR, Industry Representative, report an enrollment in radio technician training courses in northern Ohio institutions of 466, as follows:

College	*Enrollment*
Fenn College	302
Oberlin College	57
Wooster College	28
John Carroll	21
Baldwin-Wallace	26
Western Reserve	32
	466

Case School of Applied Science, Cleveland, is active in giving radio courses on a professional level.

HORSE RACE RESULTS

Variety this week noted that Pennsylvania state authorities had complained to the FCC and the Department of Justice that broadcasting of race-by-race horse race results by a Philadelphia station constituted deliberate cooperation with gambling interests. The NAB has been aware for some time that Pennsylvania and other state and city authorities were disturbed about race result broadcasting of this kind. Other complaints similar to that filed against the Philadelphia station are in the making elsewhere. It was in the light of this information that the NAB Code Compliance Committee at its last meeting suggested that the broadcasting of race-by-race horse race results was bad radio.

SUPREME COURT GRANTS REVIEW

The Supreme Court at its session March 16 granted review of the CBS and NBC cases against the government. The lower court had held that the FCC's regulations relating to chain broadcasting are not "orders" within the meaning of Section 402 (a) of the Communications Act, which authorizes suits to set aside orders of the Commission to be brought in the federal district court in the district where the principal offices of complainant are located (NAB Reports, February 27, p. 113).

SELECTIVE SERVICE

Brig. Gen. Lewis B. Hershey, Director of Selective Service, has sent the following message to all Local Boards. As an authoritative statement of the position of the Selective Service System in regard to the temporary deferment of necessary men, station operators are urged to read it with care.

"What Is a Necessary Man?

"The essential ingredient in our total war effort is manpower—trained manpower.

"The proper allocation of this manpower between our armed forces and the factories and farms which must produce the materials to arm, clothe, and feed our Army and Navy and to care for the needs of our civilian population is our Nation's chief problem—and it is peculiarly a problem of the Selective Service System.

"This involves the question: What is a 'necessary man'?

"Succinctly, a 'necessary man' is a man engaged in work essential for winning this war who cannot be replaced in his civilian occupation by a man otherwise deferred from military service or by a woman.

"Men for the land and naval forces we must have. They must be procured in adequate numbers and in time to be trained. However, these men cannot carry our flag to the victories we must win on land and sea—cannot even be trained for that achievement—without guns, without munitions, without tanks, without airplanes, without ships, or without food and clothing.

"The machinery of production of supplies and war material must turn in production of these essentials as rapidly as our fighting men can be mobilized. Skilled men are required to keep that machinery turning—not every skilled man now so engaged, for skills are needed in the Army and Navy also—but an adequate number of skilled men to keep it turning at top speed until they can train other men or women to replace them when they leave for the front.

"It is a vital part of our job—in the local boards, in the advisory boards, among the Government appeal agents, in the appeal boards, in the State Headquarters, and in the National Headquarters—to insure that 'necessary men' are left on the industrial and agricultural front. It is the job of management, of labor, and of other Government agencies to supply the data we require to properly determine what are necessary civilian activities and who are the necessary men engaged in them.

"From time to time as such pertinent facts are obtained by National Headquarters they are transmitted to the various State Headquarters, which, in turn, inform their local boards. These memorandums are for the guidance of local boards *in classifying their individual registrants*. They cannot be deemed to be applicable to any group or class of registrants as a whole, and I feel sure that no member of the Selective Service personnel would so construe them, for it is fundamental in the Selective Service System that *each individual registrant must be classified as an individual and by the local board that represents his own community*.

"Local boards make the initial classification, but advisory boards and employers make possible intelligent classification by assisting the registrant to include pertinent information in his questionnaire.

"Government appeal agents play their part by carrying to appeal boards the cases they believe susceptible to change in classification.

"It is the duty of the appeal boards to classify intelligently those cases sent to them.

"National and State Headquarters must supervise, disseminate information, educate, and, where and when necessary, take appeals.

"Thus we must answer the question 'What is a necessary man?' And it must be answered by all of us in a manner that will provide maximum strength for our armed forces and adequate production of those things that are essential to train and equip them."

600 BMI SUBSCRIBERS

Editor's Note: *Under the heading "Wide Support for BMI" there was published in the March 13 issue of NAB REPORTS a statement by BMI. The statement as published constituted a first draft rather than the draft that was later released to the trade press. There follows herewith the later official BMI statement.*

BMI announced this week that 600 stations had already signed the new eight year contracts, and that these contracts represented approximately 80 per cent of the industry's revenue. Practically all other BMI licensees have already indicated their continuing support, both at meetings and by mail.

Although BMI's present contracts expire on March 11th, the first payment under the new contracts, due April 20th, will cover only a portion of the month of March, and the first full month's payments under the new agreements will become payable only on May 20th. The last call on current contracts was made in January. BMI has paid all instalments already due on the contract with Edward B. Marks Music Corporation, the company's largest single commitment, and BMI has, in addition, accumulated and earmarked an amount sufficient to pay all of the 1942 instalments on this contract.

These factors create a stringency in cash position which is being obviated by the payment in advance by Columbia Broadcasting System, Inc., National Broadcasting Company, Inc., Blue Network Company, Inc., and the stations controlled by other directors of BMI, of the equivalent of the first six months' license fees upon the new contract basis. The payments by the networks are advances on their eight year contracts, which are conditioned, for their full term, only upon the continued support of BMI by the industry and the assumption of their proportion of the cost of clearance at the source by affiliates.

RED CROSS THANKS RADIO

The Red Cross, through the NAB, wishes to thank the broadcasting industry for its help during the recent war fund appeal.

"Networks, clear channel stations, smaller stations—the entire industry—accorded excellent support of the campaign with the result that the war fund was oversubscribed," G. Stewart Brown, director of the Public Information Service, said in a letter to the NAB.

Sales

Who's Doing the Business?

Retail trade in the U. S. was up during January of 1942 by 16 per cent over January of 1941, according to the U. S. Department of Commerce. Dollar volume of all retail stores was $4,212,000,000.

Retailers doing that kind of business are good prospects for local radio advertising, since advertising budgets of retail stores are nearly always based on sales volume.

Radio salesmen will be interested in this Commerce Department comparative table, showing which classifications of retailers are doing the biggest volume:

Monthly Sales of all Retail Stores

Group	1942	1941		
	Jan.	Dec.	Nov.	Jan.
	(Millions of dollars)			
All retail stores	4,212	5,473	4,517	3,639
(Daily average indexes, 1935–39=100)				
Unadjusted for seasonal variation				
All retail stores	126.8	166.0	145.2	110.2
Durable-goods stores	94.7	153.9	139.6	120.5
Nondurable-goods stores	137.2	169.9	147.0	106.9
Adjusted for seasonal variation				
All retail stores	149.0	138.4	139.6	130.3
Durable-goods stores	125.8	144.2	134.1	156.8
Nondurable-goods stores	156.5	136.5	141.4	121.7
Food stores	155.3	140.8	143.4	118.7
Eating and drinking places	152.4	147.8	148.7	127.7
Apparel stores	176.2	132.1	145.9	119.7
Filling stations	157.5	141.0	142.5	131.0
Building materials and hardware dealers	177.8	164.0	156.6	144.6
Household furnishings stores	168.8	138.6	149.7	137.2
Automotive stores	84.6	135.5	116.4	169.1
Drug stores	141.9	135.8	139.2	123.5
General-merchandise stores	149.5	123.5	130.2	113.5
Other retail stores	165.1	141.7	148.0	134.8

The increase in dollar volume is due almost entirely to the sharp upward trend in prices; the physical volume of goods sold in January was no greater than in the same month of last year.

Sale of durable goods was off, notably new automobiles, tires and tubes, but a large volume in used cars, parts and accessories was noted. Sales of household furnishings, building materials and hardware, and jewelry increased during the month.

Largest increases were in apparel and general merchandise stores; food stores and chain stores also recorded big increases.

The rise, general throughout the country, "reflects continued heavy consumer buying stemming from the war program, as well as stocking up in anticipation of shortages."

Tobacco Sales Increase

Sales of cigarettes and other tobacco products were greater in 1941 than in 1940, with biggest gains noted in cigarettes and 5-cent cigars. Smoking tobacco production was off, but chewing tobacco sales increased, according to the Bureau of Internal Revenue, "as many workers have turned to chewing where smoking is forbidden in factories." Radio salesmen, especially in industrial areas, may well turn some attention to prospective chewing tobacco accounts.

Per-Inquiry and Free Time

United Advertising Companies, Chicago agency, previously reported several times in these columns, is still seeking P-I deals, this time for a telescope.

Robert Kahn & Associates, another Chicago agency, seeks P-I deals for a "Swiss" Weather House.

Seeking free time for publicity releases are the **Woman's Home Companion** on behalf of the Gotham Silk Hosiery Co.; the **DuPont Co.** on behalf of its automobile refinishers; and the **National Peanut Council, Inc.,** of Atlanta, Ga., on behalf of peanuts "with which to help win the war." And **Hot Springs National Park,** of Arkansas, through its Chamber of Commerce, wants free plugs on its 110th anniversary.

Idea for "Free" Scripts

The Dallas bureau of International News Service no longer considers publicity handouts as mere wastebasket fillers. Instead, all the standard sized handouts are stacked and used for office copy paper, thereby cutting overhead. If broadcasters wish to follow that example, the scripts sent to stations for free plugs will have some value after all.

TELEVISION CONFERENCE CALLED

The FCC will meet in informal conference with television permittees and licensees and representatives of the Radio Manufacturers Association on April 9 at 2:30 p. m. in Room 6121 of the Commission's offices to discuss war-time television problems for the purpose of determining policies that may be followed regarding television broadcasting during the duration of the emergency. Due to limited facilities, attendance at this conference will be restricted to not more than two representatives of any television station or organization.

KVOR PROPOSED ORDER

Finding that the company interfered with self-organizational rights of its employees through anti-union statements and by unilaterally settling claims for overtime, the National Labor Relations Board on March 13 announced an order which, if made final, would direct the Out West Broadcasting Company, Colorado Springs, operator of radio station KVOR, to cease employee interference and post notices to that effect.

At the same time, the proposed order tentatively dismissed allegations of the unfair labor practice complaint against the broadcasting company that it had refused to bargain collectively in good faith with International Brotherhood of Electrical Workers, Local No. 113 (AFL), on behalf of the station's four technicians.

FCC STATISTICS

The Federal Communications Commission publication, "Statistics of the Communications Industry in the United States" for the year ended December 31, 1940, was this week placed on sale by the Superintendent of Documents, Government Printing Office, Washington, D. C., at a price of 20 cents a copy.

The financial and operating data shown in this publication relate to common carriers and broadcast stations subject to the provisions of the Communications Act. The information was compiled from annual and monthly reports received in the Accounting, Statistical and Tariff Department of the Commission. Though the 1940 yearbook is reduced in size to meet appropriations and paper conservation requirements, it contains pertinent facts concerning individual telephone, telegraph, cable and radiotelegraph carriers and controlling companies; also, statistical summaries relative to standard broadcast stations and networks.

The first edition of this yearbook, for the calendar year 1939, was sold out within a few weeks after it was placed on sale by the

Superintendent of Documents and a second printing was necessary.

FEDERAL LEGISLATION

H. R. 6785 (Rankin, D-Miss.) COMMUNICATIONS ACT—LIQUOR ADVERTISING—To amend the Communications Act of 1934, as amended, so as to prohibit the radio advertising of alcoholic beverages. Referred to Committee on Interstate and Foreign Commerce.

STATE LEGISLATION

RHODE ISLAND:

H. 854 (Scott) FOOD, DRUG AND COSMETICS ACT—To prohibit the adulteration, misbranding and false advertisement of food, drugs, devices, and cosmetics and for other purposes. A Uniform State Act to supplement Federal Food, Drug and Cosmetics Act and Federal Trade Act. Applies to goods manufactured and sold in intra-state commerce. Referred to Committee on Judiciary.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 23. They are subject to change.

Monday, March 23

Consolidated Hearing

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—C. P., **740 kc.,** 50 KW, DA-night and day, unlimited time.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—C. P., **740 kc.,** 50 KW, DA-night and day, unlimited time.

Tuesday, March 24

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., **950 kc.,** 1 KW, DA-night, unlimited time.

Thursday, March 26

Consolidated Hearing

W65H—WDRC, Incorporated, Hartford, Conn.—Modification of C. P., **43500 kc.,** 13,944 sq. mi., unlimited time.

NEW—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—C. P., **43500 kc.,** 20,290 sq. mi., unlimited time.

Further Hearing

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), **920 kc.,** 1 KW night, 5 KW day, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

General Electric Co., New Scotland, N. Y.—Granted construction permit (B1-PVB-88) on an experimental basis, for a new television relay broadcast station to operate on Channel No. 8, **162000-168000 kc.,** 50 watts peak power and A-5 emission, for relaying programs to applicant's television Station WRGB, replacing experimental relay television Station W2XI.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted modification (B3-MP-1410) of construction permit (B3-P-2743) to make changes in directional antenna for nighttime use, subject to any action which may be taken with reference to multiple ownership.

WRDO—WRDO, Inc., Augusta, Maine.—Granted renewal of license upon a regular basis (B1-R-804).

HEARINGS DESIGNATED

WAPO—W. A. Patterson, Chattanooga, Tenn.—Designated for hearing pursuant to policy with respect to new construction under present emergency and other considerations, application for construction permit (B3-P-3382) to make changes in directional antenna system and increase night power from 1 to 5 KW.

Kennebec Broadcasting Co., Augusta, Maine.—Designated for hearing pursuant to policy with respect to new construction under present emergency and other considerations, application for construction permit (B1-P-3274) for a new station to operate on **1400 kc.,** 250 watts, unlimited time. (Requests facilities of WRDO.) Exact site and antenna system to be determined subject to Commission's approval.

WLAV—Leonard A. Versluis, Grand Rapids, Mich.—Designated for hearing pursuant to policy with respect to new construction under present emergency and other considerations, application to change frequency from **1340** to **930 kc.,** increase power from 250 watts to 1 KW, install a new transmitter and directional antenna for night use and move transmitter locally.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1942:

WJHL, Johnson City, Tenn.; WKY and auxiliary, Oklahoma City, Okla.; WMMN, Fairmont, W. Va.; WORL and auxiliary, Boston, Mass.; WPEN and auxiliary, Philadelphia; WWJ and auxiliary, Detroit, Mich.; KARK, Little Rock, Ark.; WTAD, Quincy, Ill.; KFPY, Spokane, Wash.; KHJ and auxiliary, Los Angeles; KRRV, Sherman, Tex.; KTKC, Visalia, Calif.; WSPA, Spartanburg, N. C.; KOMO and auxiliary, Seattle, Wash.

The following were granted renewal of licenses for the period ending June 1, 1944:

WKBN, Youngstown, Ohio; WKZO, Kalamazoo, Mich.; WMC and auxiliary, Memphis, Tenn.; WMT, Cedar Rapids, Iowa; WOW, Omaha, Nebr.; WPIC, Sharon, Pa.; WQAM and auxiliary, Miami, Fla.; WROL, Knoxville, Tenn.; WSJS, Winston-Salem, N. C.; WSUN, St. Petersburg, Fla.; WSVA, Harrisonburg, Va.; WMBS and auxiliary, Uniontown, Pa.; WREC and auxiliary, Memphis, Tenn.; KLZ, Denver; KSAC, Manhattan, Kans.; WNAX, Yankton, S. Dak.; KSD, St. Louis, Mo.; KTAR, Phoenix, Ariz.; WSYR, Syracuse, N. Y.; WTAR and auxiliary, Norfolk, Va.; WTMJ and auxiliary, Milwaukee, Wis.; KFDM, Beaumont, Tex.; KFRC and auxiliary, San Francisco; KFSD, San Diego, Calif.; KHQ, Spokane, Wash.; KOY, Phoenix, Ariz.; KECA and auxiliary, Los Angeles; KROD, El Paso, Tex.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending May 1, 1942:

KFAR, Fairbanks, Alaska; KFKA, Greeley, Colo.; KGFX, Pierre, S. Dak.; KGMB and auxiliary, Honolulu, T. H.; KGW, Portland, Ore.; KOAC, Corvallis, Ore.; KPOF, Denver; KPRC, Houston, Tex.; KSEI, Pocatello, Idaho; KSFO, San Francisco; KTSA, San Antonio, Tex.; KUTA, Salt Lake City; KVOD, Denver; WAAF, Chicago; WBAA, West Lafayette, Ind.; WCOC, Meridian, Miss.; WDEV, Waterbury, Vt.; WEAN, Providence, R. I.; WGBI and auxiliary, Scranton, Pa.; WICC, Bridgeport, Conn.; WILL, Urbana, Ill.; WIS, Columbia, S. C.; WJAG, Norfolk, Nebr.; WJAR, Providence, R. I.; WKAQ, San Juan, P. R.; WKAQ auxiliary; WKRC, Cincinnati; WLBL, Stevens Point, Wis.; WLBZ, Bangor, Maine; WPRO and auxiliary, Providence, R. I.; WQAN and auxiliary, Scranton, Pa.; WSUI, Iowa City, Iowa; WWNC, Asheville, N. C.; WTAG and auxiliary and emergency auxiliary.

The following stations were granted renewal of licenses for the period ending February 1, 1944:

KTRB, Modesto, Calif.; WCAL, Northfield, Minn.; WLB, Minneapolis, Minn.

In the following cases the licenses were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending June 1, 1942:

KFYR, Bismarck, N. Dak.; WRNL and auxiliary, Richmond, Va.; WSAZ, Huntington, W. Va.

WGNC—F. C. Todd, Gastonia, N. C.—Granted renewal of license for the period ending October 1, 1943.

KGDM—E. F. Peffer, Stockton, Calif.—Granted renewal of license for the period ending April 1, 1944.

MISCELLANEOUS

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted modification of construction permit (B1-PCT-2 as modified, which authorized a new television broadcast station) for extension of completion date only, from February 27, 1942, to May 27, 1942 (B1-MPCT-7).

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted modification of construction permit (B3-P-3355) only insofar as it requests approval of transmitter site at south side of The North New River Canal, 9 miles west of Ft. Lauderdale, Fla., and approval of the directional antenna system subject to installation special monitoring facilities to maintain the pattern in close adjustment and subject to special proof of performance measurements in the vertical plane demonstrating that protection is actually afforded the secondary service of Station WOR. Towers to be marked in accordance with Specifications issued pursuant to Section 303(q) of the Communications Act as amended (B3-MP-1508).

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit (B2-PH-73, as modified, for new high frequency broadcast station) for extension of completion date from March 10, 1942, to May 10, 1942 (B2-MPH-76).

Lake Shore Broadcasting Corp., Cleveland, Ohio.—Granted petition to accept amendment to application for new station, to make changes in officers and directors of applicant corporation and to correct transmitter site.

KGGM-KVSF—New Mexico Broadcasting Co., Inc., Albuquerque, N. Mex.; Santa Fe, N. Mex.—Granted motion for continuance to May 11 of hearing now set for March 18, on application of KGGM (B5-P-2918), and applications of KVOA and KVSF to change facilities (B5-P-2906 and B5-P-2917).

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Granted motion for leave to withdraw application (B5-P-2906) to change facilities.

Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted petition for amended order to take depositions to change the name of notary and place, and add additional names in order to take depositions in re applications of applicant and of James F. Hopkins, Inc., for a new station in Ann Arbor.

KRBC-WQBC—Reporter Broadcasting Co., Abilene, Tex.; Delta Broadcasting Co., Inc., Vicksburg, Miss., H. C. Cockburn, tr/as San Jacinto Broadcasting Co., Houston, Tex.—On its own motion the Commission supplemented notice of issues in Docket Nos. 5968, 6166 and 6168, and ordered retention of present hearing date—April 13, 1942.

S. Brad Hunt, Alton, Ill.—On its own motion the Commission supplemented notice of issues in Docket No. 6236, and ordered retention of present hearing date—April 6, 1942.

James F. Hopkins, Inc., Washtenaw Broadcasting Co., Inc. (both of Ann Arbor, Mich.).—On its own motion the Commission supplemented notice of issues in Dockets Nos. 6230 and 6231, and ordered retention of present hearing date—April 1, 1942.

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—On its own motion the Commission supplemented notice of issues in Docket No. 6235, and ordered retention of present hearing date—April 2, 1942.

Knickerbocker Broadcasting Co., Inc., New York City.—Granted petition to accept amendment to change name of applicant for new FM station, to WMCA, Inc.

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted motion for continuance to May 20 of hearing now set for March 23, in re application of WLOL and WMIN to operate on frequency **630**, 1 KW night, 5 KW day, DA-night and day, unlimited time.

WILM—Delaware Broadcasting Co., Wilmington, Del.—Granted construction permit for move of transmitter approximately 30 feet from present location and use of south tower of WDEL's directional array (B1-P-3387).

WCLS—WCLS, Inc., Joliet, Ill.—Granted application for construction permit to move transmitter approximately 250 feet from present site (B4-P-3455).

KBON—MSB Broadcast Co., Omaha, Nebr.—Granted modification of construction permit as modified for new station, for authority to change corporate name to Inland Broadcasting Co. (B4-MP-1517).

WASK—WFAM, Inc., Lafayette, Ind.—Granted modification of construction permit for changes in transmitting equipment (B4-MP-1529).

WGBG—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—Granted license to cover construction permit as modified for new station, for approval of studio location (B3-L-1621); granted authority to determine operating power by direct measurement of antenna input (B3-Z-1353).

KYOS—Merced Broadcasting Co., Merced, Calif.—Granted license to cover construction permit which authorized change in frequency and increase in hours of operation (B5-L-1610); granted authority to determine operating power by direct measurement of antenna input (B5-Z-1340).

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Granted license to cover construction permit for changes in transmitting equipment (B4-L-1625).

KFJZ—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted license to cover construction permit for move of old transmitter to site of new main transmitter, to be used as auxiliary transmitter with power of 1 KW, for emergency use only, using directional antenna (B3-L-1606).

KFXJ—Western Slope Broadcasting Co., Grand Junction, Colo.—Granted license to cover construction permit for change in frequency, change in transmitter and antenna and increase in power (B5-L-1624); granted authority to determine operating power by direct measurement of antenna input (B5-Z-1356).

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1352).

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Granted license to use Composite transmitter as auxiliary transmitter, with power of 500 watts, for emergency use only (B1-L-1620).

WJLD—J. Leslie Dess, Bessemer, Ala.—Granted modification of construction permit for change in type of transmitter, approval of antenna and transmitter site, and change studio location (B3-MP-1479).

WDEL—WDEL, Inc., Wilmington, Del.—Granted modification of construction permit for change in type of transmitter (B1-MP-1496).

Herman Radner, Dearborn, Mich.—On its own motion the Commission supplemented notice of issues in Docket No. 6220, and ordered retention of present hearing date—April 6, 1942.

Pan American Broadcasting System, Inc., Hollywood, Florida; Seaboard Broadcasting Corp., Tampa, Fla.—Granted motions to dismiss applications for construction permits, and further ordered that said applications be dismissed with prejudice (Docket Nos. 5931 and 5935).

WELL—Federated Publications, Inc., Battle Creek, Mich.—On the Commission's own motion continued hearing now set for March 16 until March 19, 1942, in re application for renewal of license (Docket No. 6199).

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—On its own motion the Commission supplemented notice of issues in Docket Nos. 5678 and 6107, and ordered retention of present hearing date, April 22, 1942.

WCNW—Arthur Faske, Brooklyn, N. Y.—Granted modification of construction permit for new transmitter, change in frequency, increase in power, change in hours of operation, for authority to install new type transmitter (B1-MP-1518).

Yankee Broadcasting Co., Inc., New York City.—Dismissed without prejudice application for construction permit for a new station to operate on **620 kc.**, with 1 KW power, unlimited time. Applicant requested withdrawal of application (Docket 6189).

WOL—American Broadcasting Co., Washington, D. C.—Set aside action of the Commission of November 12, 1941, granting an application for construction permit (B1-P-3229) to make changes in its directional antenna system, and dismissed said application.

WNAC—The Yankee Network, Inc., Boston, Mass.; WFBM—WFBM, Inc., Indianapolis, Ind.—Dismissed petition for rehearing filed by WNAC and WFBM directed against the action of the Commission November 12, 1941, granting application to WOL to make changes in its directional antenna system. (These petitions become moot by reason of the above action on WOL.)

Edwin A. Kraft, Kodiak, Alaska.—Set aside action of February 17, 1942, granting application for a new station and designated the application (B-P-3279) for hearing.

APPLICATIONS FILED AT FCC

580 Kilocycles

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Authority to determine operating power by direct method on special temporary authority.

660 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Construction permit to change frequency from **610** to **660 kc.,** increase power from 1 to 10 KW, and install new transmitter. Amended: to change type of transmitter.

960 Kilocycles

WSBT—The South Bend Tribune, South Bend, Ind.—License to cover construction permit (B4-P-3330) for increase in power, change in equipment and directional antenna.

WSBT—The South Bend Tribune, South Bend, Ind.—Authority to determine operating power by direct method.

WSBT—The South Bend Tribune, South Bend, Ind.—License to cover construction permit (B4-P-3331) for changes in and move formerly licensed RCA transmitter to new site of main transmitter as auxiliary transmitter.

WSBT—The South Bend Tribune, South Bend, Ind.—Authority to determine operating power by direct method for auxiliary transmitter.

980 Kilocycles

WHAL—Harold F. Gross and Edmund C. Shields, Saginaw, Mich. —Modification of construction permit (B2-P-936) as modified for a new station, requesting extension of commencement and completion dates from 10-14-41 and 4-12-42 to 10-12-42, and 180 days thereafter, respectively.

1060 Kilocycles

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Modification of construction permit (B2-P-3145) for changes in directional antenna, requesting extension of completion date from 4-5-42 to 10-2-42.

1190 Kilocycles

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Construction permit to make changes in equipment, install directional antenna for day and night use, increase power from 10 to 50 KW and change hours from simultaneous day and share night with WWVA to unlimited time. Amended: re type of transmitter proposed and to move transmitter and to use directional antenna night only.

1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—Authority to determine operating power by direct method.

1340 Kilocycles

WALL—Community Broadcasting Corp., Middletown, N. Y.—Modification of construction permit (B1-P-2594) for a new station, requesting approval of transmitter and studio sites, approval of antenna and frequency monitor and change in type of transmitter.

WJMA—John and Marcia Arrington, d/b as Arrington and Arrington, Covington, Va.—Voluntary assignment of license to Earl M. Key.

1390 Kilocycles

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of construction permit (B4-P-3063) as modified, for new transmitter, directional antenna for day and night, increase in power, change hours and move transmitter, requesting extension of completion date from 3-20-42 to 5-20-42.

1450 Kilocycles

WKIP—Poughkeepsie Broadcasting Corp., Poughkeepsie, N. Y.—Authority to determine operating power by direct method.

NEW—The Fort Hamilton Broadcasting Co., Hamilton, Ohio.—Construction permit for a new broadcast station to be operated on **1450 kc.,** 250 watts, unlimited time.

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—Construction permit to move transmitter and studio.

1460 Kilocycles

WHP—WHP, Inc., Harrisburg, Pa.—License to cover construction permit (B2-P-3394) to install auxiliary transmitter, power 500 watts.

1480 Kilocycles

KGCX—E. E. Krebsbach, Wolf Point, Mont.—Construction permit to move studio and transmitter and changes in antenna.

1490 Kilocycles

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Transfer of control of corporation from William A. Carroll to Worth Kramer, through sale of 128 shares common stock.

KBON—MSB Broadcast Co., Omaha, Nebr.—License to cover construction permit (B4-P-2697) as modified, for a new broadcast station.

KBON—MSB Broadcast Co., Omaha, Nebr.—Authority to determine operating power by direct method.

1590 Kilocycles

WBRY—American Republican, Inc., Waterbury, Conn.—Special service authorization to move present 1 KW transmitter to site authorized for new 5 KW transmitter under B1-P-2756, as modified.

FM APPLICATIONS

NEW—The Outlet Company, Providence, R. I.—Construction permit for a new high frequency broadcast station to be operated on **48500 kc.;** population, 1,556,495; coverage, 4,840. Amended: to change transmitter site, change type of transmitter and antenna system, coverage to 7,520 square miles, and population to 1,956,807.

W63NY—Marcus Loew Booking Agency, New York, N. Y.—Modification of construction permit (B1-PH-3) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-11-42 to 7-10-42.

K59L—Columbia Broadcasting System, Inc., St. Louis, Mo.—Modification of construction permit (B4-PH-102) for a new high frequency broadcast station, requesting extension of completion date from 4-18-42 to 10-18-42.

W49D—John Lord Booth, Detroit, Mich.—Modification of construction permit (B2-PH-20) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-11-42 to 10-11-42.

TELEVISION APPLICATIONS

W9XBB—Balaban and Katz Corp., Portable-Mobile.—Modification of construction permit (B4-PVB-78) as modified for a new experimental television broadcast station, requesting extension of completion date from 5-25-42 to 5-25-43.

W9XPR—Balaban and Katz Corp., Chicago, Ill.—Modification of construction permit (B4-PVB-79) as modified for a new television broadcast station, requesting extension of completion date from 5-25-42 to 5-25-43.

WTZR—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PCT-9) for a new television broadcast station, requesting extension of commencement and completion dates from 10-12-41 and 4-12-42 to 4-12-42 and 10-12-42, respectively.

MISCELLANEOUS APPLICATIONS

WNYE—Board of Education, City of New York, Brooklyn, N. Y. —Modification of construction permit (B1-PED-18) as modified, for change in frequency, power, emission and equipment, requesting extension of completion date from 4-20-42 to 10-20-42.

WRCA—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to request the additional frequency of **15190 kc.**

WNBI—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to request the additional frequency of **15190 kc.**

WENE—WJIM, Inc., Portable-Mobile.—Construction permit to change type of transmitter and increase power from 15 to 50 watts.

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PRE-386) as modified for a new ST broadcast station, requesting extension of completion date from 3-22-42 to 5-22-42.

WGEO—General Electric Co., Schenectady, N. Y.—Construction permit to install new transmitter.

WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Modification of construction permit (B3-P-1250) as modified for new transmitter, directional antenna for night use, increase in power and move requesting extension of completion date from 4-1-42 to 6-1-42.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

American Button Mould Mfg. Asso., Inc.—A complaint has been issued charging the American Button Mould Manufacturers Association, Inc., 274 Madison Ave., New York, four of its officers, and six member firms manufacturing approximately 80 percent of the button molds (button parts) and buckle molds (buckle parts) made in the United States, with a combination and conspiracy to fix prices and restrain trade. (4726)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Cosby-Hodges Milling Co., 1501 First Ave., South, Birmingham, Ala., engaged in the sale and distribution of flour, stipulated to cease supplying others with prize drawing cards or other lottery devices, either with assortments of flour or other merchandise, or separately, which devices are to be or may be used in selling or distributing such flour or other merchandise to the public. (3427)

Delaware Floor Products, Inc., Wilmington, Del., manufacturer of hard surface floor coverings, has entered into a stipulation that in the advertisement and sale of its product "Kolorflor" it will cease using the word "Inlaid" as descriptive of the product, or that word alone or in connection with other words, implying that the product is a floor covering manufactured by the process of inlaying, when actually it is not inlaid. (3424)

F. W. Fitch Co., 304-15th St., Des Moines, Iowa, stipulated that it will cease representing that its No. 6 size bottle of "Fitch's Dandruff Remover Shampoo" is the "75¢ Size" or has a "Regular Retail Price of 75¢," or representing in any way that its various types of merchandise have regular values and customarily sell for sums in excess of the prices actually charged the public. (3423)

Hoyt Chemical Co.—A stipulation to discontinue certain misrepresentations in the sale of a pharmaceutical product designated "Hoyt's Compound" has been entered into by Verne N. Seeley, Herman P. Doyle and Fred D. Grantham, trading as Hoyt Chemical Co., 1042 East Colfax Ave., Denver. (3422)

Henry J. Ludwig, 17 West 44th St., New York, dealer in jewelry, silverware, luggage, gift ware and other merchandise, entered into a stipulation that in the sale of his products to the public, other than the retail trade dealing in such products, he will cease employing the words "list" or "discount" or representing that the prices at which he sells his merchandise constitute a discount to purchasers or are wholesale prices, when actually such prices are the usual amounts at which he sells such merchandise in the ordinary course of trade. The respondent Ludwig also stipulates that he will cease disseminating a so-called "Special Co-operative Discount Card" or any similar writing or device purporting to enable the holder to receive a "discount" or other financial advantage in the purchase of merchandise when actually the recipient does not receive a deduction based on the customary price. (3426)

H. Wenzel Tent & Duck Co., 1035 Paul St., St. Louis, distributor of tents, tarpaulins and other duck or canvas products, stipulated to cease and desist from designating as the weight of the duck or fabric of such products any weight in excess of the actual weight per square yard of the original grey goods used in the making of the products. The stipulation points out that in the cotton duck or canvas products industry and trade the weight of a duck or canvas product indicates the weight on a square yard basis of the original grey goods used in its manufacture and does not include the weight of any so-called waterproof material used therein. According to the stipulation, the respondent stenciled on certain of its products the words and figures "17½ Oz. Waterproofed" and invoiced the products as "17½ oz. Waterproofed Weight," the tendency being to create the impression that the original grey goods weighed 17½ ounces per square yard, when actually the weight of the original grey goods was materially less than 17½ ounces per square yard. (3425)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Felder Bros., Inc.—An order to cease and desist from misrepresenting the composition of billfolds has been issued against Felder Bros., Inc., 583 Broadway, New York, and its officers, Abraham, David and Louis Felder. (4555)

Logan-Cache Knitting Mills, Logan, Utah, manufacturer of women's knitted wear, has been ordered to cease use of the word "Loganknits" to describe its products or otherwise represent that its products are the products of its competitor, the Logan Knitting Mills and Garment Co., also of Logan, Utah. (4075)

Samuel Martin, Ltd., 600 Textile Tower, Seattle, Wash., has been ordered to cease and desist from misrepresentation in the sale of men's clothing and blankets.

Under the order the respondent is directed to cease using the word "London" with his trade name or in any manner representing that his business is an English concern, and the words "Factory, Leeds, England", to represent that he manufactures the merchandise he sells, unless he owns and operates or directly controls the factory in which such merchandise is made. (4660)

Olando Manufacturers, 1318 Milwaukee Ave., Chicago, has been ordered to cease and desist from representing that sweaters they manufacture are made of fibers or materials other than those of which such products are actually composed. (4664)

Pratt Food Company—An order has been issued directing Pratt Food Co., 124 Walnut St., Philadelphia, to cease and desist from certain representations in connection with the sale of "Pratt's Inhalant" and "Pratt's Poultry Regulator," medicinal preparations for chickens. (4599)

Reports
The National Association of Broadcasters

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 13, March 27, 1942

Board of Directors Meeting

The NAB Board of Directors met at New York on Thursday and Friday, March 19 and 20. Three District Directors, Clarence Wheeler, District 2; John E. Fetzer, District 8; and Harrison Holliway, District 16, were prevented by illness from being present, while George W. Norton, Director-at-Large for medium stations, was absent on account of military duties. All other members of the Board were in attendance.

Sydney Kaye, Vice President and General Counsel, and Carl Haverlin, Vice President of BMI, reported that 508 stations have actually signed their renewal licenses and that 134 more had made firm pledges.

The president was authorized to appoint a music committee to assist him in the determination of policy respecting music matters.

Informed that the Committee on Interstate and Foreign Commerce of the House of Representatives have definitely scheduled the Sanders Bill for a hearing to start on April 14, the Board authorized the appointment by the President of a committee to collaborate with all elements of the industry that desired to be heard. The personnel of this committee will be announced in the near future.

Eugene Carr, WGAR, Chairman of the Sales Managers Executive Committee, and Frank Pellegrin, Director of Broadcast Advertising, reported upon the activities in the sales managers field.

William B. Lewis and Douglas Meservey of the Office of Facts and Figures were guests of the Board at the afternoon meeting and Mr. Lewis outlined the plans which are being made to coordinate the government and radio activity respecting the war effort. He stated that there were three principal phases to be considered: (1) the inspirational broadcasting; (2) the informative broadcasting; and (3) those programs having to do with war financing. He disclosed that his office will soon issue a priority schedule designed to coordinate all of the war information and to eliminate the over-emphasis of any one phase. He also revealed that agencies outside of the government, such as the Red Cross and USO, have asked to be included in this coordination.

A report was given by Mr. John Elmer, who is a member of the Advertising Council recently organized, and $2,500.00 was appropriated in support of this Council for the year 1942.

Lengthy consideration was given to the matter of proposed By-Law amendments. At its January meeting the Board had recommended the submission of a By-Law amendment granting active membership in NAB to networks. This amendment was reconsidered by the Board and its previous action re-affirmed.

The Board also voted to submit a proposed amendment to the By-Laws granting to stations in the territories and insular possessions NAB membership during the war period on a basis of 50 per cent of the regular dues classification.

The fourth proposed amendment to the By-Laws calls for the abolition of the Executive Committee of the Board and reposes power with reference to determination of policy in the full Board of Directors.

A fifth proposed amendment would require that member stations, in order to qualify for voting, must be not more than one month in arrears in their dues payments.

All of these amendments will be published in an early issue of the REPORTS. They will be presented for official action by the membership at the Cleveland Convention.

A report on membership was submitted which showed that the NAB now has 525 members.

Pursuant to the resolution which the Board adopted at its January meeting, directing the Finance Committee to reappraise and review the activities of NAB and to submit suggestions regarding its financial outlays, and the manner in which it is cooperating in the war effort, J. Harold Ryan, WSPD, Chairman of the Finance Committee, reported. He stated that he and his associates, Howard Lane, KFBK, and Frank King, WMBR, had met for two days in Washington and made a thorough study of the organization and present activities, as well as the financial outlays of the Association. A formal report was submitted by the Committee in which, among other things, the Committee said:

> "The organization of the National Association of Broadcasters is divided into seven departments, each headed by a director, as follows:
>
> A Department of Labor Relations
> A Department of Research
> A Department of Engineering
> A Department of Public Relations and Education
> A Department of Law
> A Department of Promotion
> A Department of Broadcast Advertising
>
> "The first five departments were created by the broadcasting industry itself, pursuant to the plan of reorganization which was adopted in February 1938. The Department of Promotion was established by the Board of Directors, in conjunction with plans formulated with the Radio Manufacturers' Association in August 1939. The Department of Broadcast Advertising was established by the Executive Committee of the National Association of Broadcasters pursuant to requests from the Sales Managers' Committee in February 1941.
>
> "These seven divisions constitute the framework within which the executives and employes of the National Association of Broadcasters work and have been created or approved by the entire membership of the National Association of Broadcasters. It is apparent, therefore, that if any tremendous financial savings are to be desired or effected in the operation of the Association, the membership which set up the present Association structure will have to be consulted. The work, therefore, of the Finance Committee in attempting further savings in costs of operation, is rather limited by the facts just mentioned."

The Committee proposed certain revisions to the budget as it was originally submitted and the revised appropriation for 1942 totals $248,390.00. This, the Committee said, it felt was an economical sum upon which the Association could operate and efficiently perform the various services and functions which it has been ordered to undertake, either by the direct vote of the membership or by policies established by the Board.

With respect to the matter of what the Association is doing to promote the war effort, the Committee reported that the executives of the Association are giving generously of their time to the government. Ed Kirby, NAB Public Relations Director, is devoting 100 per cent of his time to war work, while Lynne Smeby, Engineering Director, and Arthur Stringer, Promotion and Circulation Director, and now secretary of the NAB Wartime Committee, are devoting 80 per cent of their time to the war effort.

(Continued on page 170)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

BOARD OF DIRECTORS MEETING

(Continued from page 169)

Other members of the staff, including Neville Miller, devote from 25 per cent to 10 per cent of their time. This, said the Committee, gives an average of 40.5 per cent of the time of all of the staff members which is being devoted to the government in the aid of the war effort.

The Committee recommended the abolition of the Executive Committee. In conclusion, the Committee's report stated:

"The Finance Committee shares with all other members of the National Association of Broadcasters a desire to see that no money of the Association is spent unwisely or unnecessarily. At the same time, it envisions an industry organization that is valuable to its membership in proportion as it is able to accomplish work that is worthwhile to its membership.

"Your Committee calls the attention of the Board to the list of 402 accomplishments of the National Association of Broadcasters, which has recently been gotten out by the Association."

The recommendations of the Finance Committee were tentatively approved and the Committee was thanked for its efforts.

At the direction of the membership in the Fourth District, John Kennedy, District Director, presented the following resolution:

"Resolved, it is the sense of the Fourth District membership assembled at Roanoke, Virginia, on March 7, 1942, that the Board of Directors of the National Association of Broadcasters immediately appoint a committee to make a study of the management, structure and finances of the National Association of Broadcasters, looking toward greater unity, economy and efficiency.

"And Be It Further Resolved, that the committee make its report setting forth its recommendations in detail to the membership at the 1942 Cleveland convention."

After a thorough discussion of the subject, the Board elected a committee consisting of Messrs. Gillin, Elias, Elmer, Lane and Klauber, with Paul Morency as an alternate, to give consideration to this Fourth District resolution and report back to the Board. This committee met in New York on Saturday, March 21, and took the action which is reflected in the following release:

"The committee appointed by the Board of Directors of the National Association of Broadcasters to consider the resolution adopted by the Fourth District meeting, calling upon the board to study a possible streamlining of the NAB organization, consisted of John Gillin, Howard Lane, John Elmer, Edward Klauber, and Don S. Elias as Chairman, with Paul Morency as an alternate for any member unable to attend.

"Following a discussion by the board itself, which culminated in the appointment of this committee, the committee met on March 21 and for several hours endeavored to explore all angles of the problem. All members of the committee were present, including Mr. Morency. The conclusion of the committee was that the NAB had suffered during the past year from the extraordinary amount of time the president had been compelled to give to the internal situation in the industry because of the launching of various dissident movements threatening the unity of the industry and even the dissolution of the NAB itself.

"The committee further found that owing to the fact that Ed Kirby, because of his duties with the War Department, had been able to render only nominal service to the NAB, the president and the remaining members of his staff had been compelled to assume the burden of carrying on the exceedingly important public relations functions, with the result that at times sufficient energy was not available for the carrying out of other functions, and at other times it was not possible to be as effective in public relations as would have been desirable.

"The committee therefore makes the following recommendations:

> "A. That the members of the board and all other broadcasters believing in the usefulness and the sincerity of the purposes of the NAB should to the utmost of their ability relieve the president of the organization of the burden of maintaining loyalty and unity within the industry; and
>
> "B. that the NAB employ as promptly as possible a thoroughly competent director of public relations, able under the direction of the president and the board to carry out the public relations functioning efficiently and effectively both to the end of accomplishing a better public understanding of the industry, its purposes and its needs, and to the end of enabling the president to exercise directive rather than a functioning part in public relations activities.
>
> "C. The committee recognizes that it was not possible within the time immediately available to it to exhaust all the functions suggested by its assignment. It therefore proposes a continuing effort to find ways and means to strengthen and streamline the organization. Specifically it proposes that as soon as a public relations man has been employed, further study of the administrative organization be made, in cooperation with the president, in an effort to bring about a more effective distribution of functions, and concentration upon important problems and objectives.

"In view of the shortness of time before the next annual convention of the NAB, and since no further board meeting is presently scheduled before the May convention, this committee, believing that the foregoing arrangements may prove acceptable to the board as a whole, has undertaken to try to find a qualified expert on public relations and to make a specific recommendation in this regard if it is successful in its search."

Outstanding Army Day Celebration Planned for Denver

While it is too early to have obtained a comprehensive idea of various Army Day celebrations, we do know that Denver, Colorado, is to have one of the most outstanding parades in its history. At the request of Gene O'Fallon, KFEL, Denver, Ken C. Lightburn, coordinator, the Denver Defense Council, has supplied us with the following information concerning the "On to Victory" celebration on April 6.

This will be so tremendous, opines Mr. Lightburn, that it will furnish a pattern for morale building demonstrations in other cities in the country. The celebration has three purposes:

"Bringing the war to the people of the Rocky Mountains; showing the country what the Rocky Mountain area is contributing to the war effort; and stimulating the sale of Defense Bonds and Stamps.

"There will be in the neighborhood of 45 bands, mechanized units from the regular services and from four FOTC units in this area, marching Civilian Defense units such as helmeted Auxiliary Firemen, Auxiliary Policemen and Air Raid Wardens and nearly 50 elaborate and carefully planned floats prepared primarily by industries holding war material contracts.

"The parade will start at 2:00 p. m., Mountain Standard Time, and last in the neighborhood of four hours. Booths will be set up along the 16 blocks line of march with an army of women guarded by armed soldiers selling Defense Bonds. Sound trucks in the line of march will stimulate this activity.

"After a banquet on the evening of April 6, attended by a number of Hollywood personalities, the Governors of states adjoining Colorado and the Mayors of many Colorado cities there will be an "On to Victory" ball at the City Auditorium at which the Hollywood Stars will promote the sale of Defense Bonds."

Colonel Gilbert to Chicago

The city of Chicago must be planning a celebration for we hear that Colonel H. N. Gilbert, chief of Army recruiting, will go to the Windy City for a talk before the Rotary Club, Sherman Hotel, on Tuesday, April 7. Besides Rotary Club members, there will be some 300 invited guests in the grand ballroom of the hotel.

Air Corps Exhibitions

The Army advises us that the air corps plans to hold exhibitions of fighting ships at both army and municipal air fields. Stations wishing to cooperate should get in touch with their nearest army public relations officer. The public undoubtedly will be extremely interested.

Morale Programs

NOTE: ***Station executives are urged to share their good ideas with the industry. Send morale suggestions to NAB.***

Flem J. Evans, coordinator of station activities, WPAR, Parkersburg, W. Va., has "The Voice of Victory" to build morale and promote all-out war effort. It is broadcast six times weekly at 6:15-6:20 p. m. The purpose of this broadcast, says Mr. Evans, is to have a psychological effect upon the listeners with a resultant increase of offensive spirit. The script which Mr. Evans sent was accompanied by the explanation that "our idea is to play up what we are doing and what we are going to do instead of what we should do. The program has been on the air more than two weeks and comment is favorable."

Below is reproduced the opening and 100 words of copy. Prior to the close there is a second transcription.

Taylor: I am the "Voice of Victory"!

Transcription: BRING IN SPECIAL TRANSCRIPTION QUICKLY . . . FADE.

Announcer: This broadcast is dedicated to the enemies of the United States and her Allies, wherever they may be. Heed the "Voice of Victory".

Taylor: I am "The Voice of Victory"! The Yanks are coming; and they're coming to win. Our ire has been raised. We're determined that your ruthless marauding shall come to an end. We're putting the heat and indignation we feel toward you and your cohorts into arms and more arms . . . men and more men . . . ammunition and more ammunition. Daily the United States and her allies are becoming stronger. Our eyes are on the goals set by the President of the United States. Remember—Berlin, Tokyo and Rome—what those goals were? Just in case you don't, refresh your memory. By the end of 1942 the people of the United States will have produced—60,000 military planes, 45,000 tanks, 20,000 anti-aircraft guns and 8,000,000 tons of merchant ships.

More WGAR Ideas

From Carl George, director of operations, WGAR, Cleveland, Ohio, comes a report of two brand new shows tied up with the station's war efforts.

1. This show begins Saturday night, March 28, at 7:30. It is a weekly digest of the outstanding war efforts in Cleveland during the week. The station's recording machine is taken to public meetings, into plants, into air raid warden meeting, etc. These recordings are edited and the outstanding ones put on the air. This is similar to the March of Time idea with the exception that the station presents the actual voices of the people who are making news in the war effort program. The transcription made at remote points are woven into a patriotic musical pattern so that it gives the idea of a half-hour document of Cleveland at war, in a pattern which will hold listeners.

2. Through an arrangement with the Statler Hotel, WGAR offers weekend guest privileges to fighting men in proportion to the amount of bonds purchased during a radio broadcast from the hotel dining room. Several guests appear on the program, speaking in behalf of the bond campaign, and the station announcer gives a running story of the amount of pledges being phoned in to a battery of switchboard operators.

For every $10,000 pledged during the program and within an hour thereafter a Soldier, Sailor or Marine is given everything from "soup to nuts" over the week-end when on furlough. USO designates the men to become recipients of the station's hospitality.

Script from WFBC

Norvin C. Duncan, Jr., program director, WFBC, Greenville, S. C., has forwarded a script of a dramatization based on a recent editorial in the New York World Telegram. The show occupied 10 minutes over WFBC, last week. The first page of the script is reproduced below. It is entitled: "WAKE UP AMERICA . . . IT'S LATE".

Music: (V-FOR-VICTORY NOTES, DUBBED OFF O.E.M. TRX).

Announcer: Wake Up America . . . ! It's late!

Music Up: (FADE ON CUE).

Youth: Hi Jim . . . How's about a game of golf this afternoon?

2nd Youth: Like to, Bill, but I'm not driving my car much these days. Saving rubber, y'know. And it's five miles to the golf course.

Youth: Oh for heaven sake, come on! The war'll be over before your tires are worn out, and you'll get some new ones. By the way, are you still in 3-A?

2nd Youth: Yeah . . . but they're reclassifying 'em pretty fast these days. Probably get to me before long.

Youth: Ah . . . there isn't much chance they'll take you soon. I TELL you, the war's gonna be over before you know it . . . (START FADEOUT) . . . there's enough guys to win the war without you and me. Come one, let's play golf! (OUT).

Voice: (ECHO CHAMBER OR CARBON MIKE EFFECT). Headline: Japs Take Singapore! . . . Japs Take Java . . . Nipponese Head for India! . . . Germans strike new blows! . . . U-Boats take new toll of Allied shipping! . . . (START FADE). American production not up to schedule! . . . (OUT).

1st Announcer: (STRAIGHT VOICE, MARCH OF TIME STYLE): The New York World Telegram minced no words in a recent editorial, titled Wake Up America . . . It's Late!

2nd Announcer: (ECHO EFFECT). Wake Up America . . . it's Late . . . !

1st Announcer: The nation needs to awaken to the full gravity of the peril that confronts it. It needs to appreciate how badly we have been defeated in 3 months of war!

2nd Announcer: (ECHO EFFECT): Wake Up America . . . it's late . . . !

1st Voice: (FADE IN) (FRENCH ACCENT): This is a phony war, that's what it is! France has the strongest army on earth! But no matter what happens, we have the Maginot line!

2nd Voice: (HIGH PITCHED . . . EXCITED): General Weygand will save us! The Fall of Paris will not mean the fall of France!

WAVE PRODUCTION PROGRAMS

Burt Blackwell, WAVE, has sent a few of that station's ideas in connection with the "Battle of Production."

"We have created a 15-minute musical program three times a week in which the continuity department is allowed to express itself concerning the urgency of production *now* with liberal quotes from Donald Nelson thrown in.

"Secondly, we have created a 5-minute program at 6:45 PM daily entitled 'Win the War', to which representatives of management and labor leaders, both of A F of L and CIO, are invited to come and express their own opinions as to how to win this production battle. Those whom we have invited have responded eagerly to the opportunity.

"Thirdly, each of our 8 daily newscasts have been scrutinized carefully for any news items on which we might editorialize, with direct quotes from Donald Nelson. I am enclosing an example.

"This is only a beginning and we expect ideas to materialize daily as soon as our staff begins fully to realize we are on our own and do not have to wait for orders. However, if you have any suggestions we will be glad to have you pass them on to us."

ARMY DAY IN LOUISVILLE

WAVE has taken the President's suggestions of more parades and more bands to heart.

Wilson Wyatt has proclaimed April 6 as Army Day in Louisville and WAVE will broadcast the ceremonies. It will be a big day for Louisville according to the mayor's plan, beginning with a civic luncheon as the city's salute to General Devers and the Armored Force, followed by a parade in the afternoon through downtown Louisville and a public rally at night with addresses by General Devers, the mayor and probably a Hollywood star. WAVE will have completed coverage, which of course is in line with its policy to "HELP WIN THE WAR."

WFIL ROUND TABLE

A series of programs designed to acquaint the public with the necessity for the conservation of materials vital to the conduct of the war has been broadcast over WFIL, Philadelphia, weekly since January 4. The program is in the form of panel discussion and is entitled "War Time Round Table". Each program includes two authorities on the subject selected for discussion and two members of the public to ask questions.

The programs have covered many phases of the war effort that affect consumers. The first program was broadcast coincidentally with the start of rubber rationing and was presented under the title, "Why the Rubber Shortage?" The speakers were the head of the County Commodity Board in charge of tire rationing and the head of the Lee Tire and Rubber Company. The conservation of sugar and the reasons for the sugar shortage were discussed by a sugar broker and a representative of O. P. A. The conservation of wool was handled by a wool buyer and a clothing manufacturer.

Purpose of the program has been not only to suggest methods of conservation, but to point out to the public the reasons for the shortages of various commodities. Every program has tried to give some indication of the future availability of various commodities and recommends substitutes for articles that are becoming scarce.

In addition to the discussions of commodities, other phases of the war effort have also had a place on the program. "What to do in an Air Raid" presented the heads of the local civilian defense setup with authoritative information. "Elections in War Time" took up the vital question of the effect of political activity on the war effort and presented two widely known Philadelphia citizens.

The series is arranged and conducted by Harry K. Butcher, secretary of the Committee of Seventy, a Philadelphia civic institution.

BLUE PRINT FOR WAR NEWS FOR YOUR NEWS MEN

In a statement which emphasized that "the people of a democracy are entitled to know the facts, whether they are good or bad, cheerful or depressing," the Office of Facts and Figures announced on March 17 a policy of releasing all war information which will not give aid and comfort to the enemy.

Acting through its Committee on War Information, OFF, headed by Archibald MacLeish, said that casualty lists might henceforth be published locally but that no nation-wide summaries of casualties would be printed or announced by radio.

As a general policy, however, it was stated that "under no circumstances does the government withhold news from publication on the grounds that the news is depressing."

"It is the policy of this government," the official statement said, "to make public the maximum of information on military, naval, production and other matters concerning the war, which can be revealed without giving aid to the enemy.

"On the other hand, our people will willingly forego knowledge of those facts whose revelation will help the enemy to harm us.

"Where there is conflict between considerations of public information and of military security, every attempt is made to provide such form of publication as will inform the public while reducing the military risk to a minimum.

"Under no circumstances does the government withhold news from the publication on the ground that the news is bad or depressing. When news is deliberately withheld, it is withheld for reasons of military security."

Today's outline represented largely a restatement of official views announced in the past, but it did broaden the government's war news policy in two respects.

It stated that from time to time the Joint Chiefs of Staff would furnish "an authoritative general review of the military situation in various theatres of war," and it ended the policy of not printing casualty lists, even by districts.

The announcement stated that in cases of action at sea, the destruction of a warship would be published only when such word was not of military value to the enemy. It said also that all announcements would be held up for forty-eight hours so as to give prior notification to the kin of all casualties. Damage to American vessels, the statement continued, would be released only when the damage occurred in the sight of the enemy.

As to the policy governing the sinking of enemy submarines, the OFF explained that these would not be announced as they occurred because to do so would give the enemy an opportunity to replace the craft and deprive the Allies of the psychological advantage of making the enemy wonder what became of their submarine crews.

Today's statement of policy governs the news to be given out by the government departments and supplements the orders issued previously by the Office of Censorship. The latter is concerned only with news that private news-gathering organizations develop on their own initiative and has nothing to do with what information is to be released by the government departments.

Here is the text of the statement issued today by the Office of Facts and Figures:

Statement of Governmental Wartime Information Policy:

It is the policy of this government to make public the maximum of information on military, naval, production and other matters concerning the war, which can be revealed without giving aid to the enemy.

This policy is based upon the firm conviction that the people of a democracy are entitled to know the facts, whether they are good or bad, cheerful or depressing. On the other hand, our people will willingly forego knowledge of those facts whose revelation will help the enemy to harm us.

Where there is conflict between consideration of public information and of military security, every attempt is made to provide such form of publication as will inform the public while reducing the military risk to a minimum.

Under no circumstances does the government publish information which is known to be untrue. Under no circumstances does the government withhold news from publication on the ground that the news is bad or depressing. When news is deliberately withheld, it is withheld for reasons of military security.

Policies Dated in Detail

In detail, these are the policies with respect to specific matters:

1. Action at Sea.

(a) News of the destruction and sinking of American combat vessels is published only when and if it is felt that such publication will be of no value to the enemy. Publication will be definitely delayed forty-eight hours from the time the Navy has had opportunity to start notifying next of kin of casualties.

(b) The fact of damage to an American combat vessel through enemy action is released as soon as verified information is received. If there is reason to believe that such damage has occurred in sight of the enemy, the extent of damage to a combatant vessel will probably not be released until the vessel has been repaired as this information is valuable to the enemy.

(c) News of the destination, sinking or damage to enemy surface vessels is released as soon as verified information is received.

(d) News of the sinking or the probable destruction of enemy submarines is ordinarily not released, for three reasons: (1) It is often difficult to verify the sinking of a submarine. (2) Experience has shown that the withholding of news of the sinking of submarines has an adverse psychological effect on the enemy. (3) If the enemy is informed that one of his submarines has been destroyed, he knows it is necessary for him to replace it by another.

From time to time it will be possible to give news on the sinking or probable sinking of enemy submarines over a past period.

As to Merchant Ship Losses

(e) On merchant ship losses the following procedure is being followed: the commandant of the district in which the sinking occurs notifies the Navy Department. The Navy Department in turn notifies the Maritime Commission, which notifies the owners so that next of kin of any casualties may be notified. As soon as the next of kin have had time to receive notice, the Maritime Commission advises the Navy Department, which then releases the story of the sinking to the press and allows eyewitness accounts to be obtained from survivors. The names and precise tonnages will not ordinarily be released.

(f) It must be remembered that details of action at sea are rarely received until days or even weeks after the action has been concluded, because radio signals enable the enemy immediately to locate the position of our ships in combat areas. Full details on any significant action are released as soon as practicable, but these details are rarely available until the vessels involved have returned to port.

Five Points on Air Action News

2. Air Action.

(a) A statement of the exact number of American planes lost in action in the air is made as soon as received (provided the loss has been apparently obvious to the enemy), but no statement of the number of planes lost on the ground is made until such time as it is believed that the statement will not be of value to the enemy. The reason for this is that enemy airmen are usually unable to tell the extent of damage to aircraft attacked on the ground.

(b) An exact statement of losses of enemy aircraft, both in the air and on the ground, is made as soon as verified information is received. No claim of the destruction of an enemy plane is made unless the authorities in charge are satisfied that the information furnished by the American pilot or other observer is correct.

(c) No statement of the loss of American aircraft in transit or through accident at air fields is made since such news would be of great value to the enemy. An exception is made in the case of aircraft lost through accident in the Continental United States.

(d) News of the effect of bombing of enemy objectives is given as soon as verified information is received, in such detail as possible. This information is released only to the extent that the authorities are satisfied of the accuracy of observation by the American pilots or observers.

(e) News of the extent of damage to American objectives by enemy bombing is released as soon as verified information is received, if it is believed that such information will not be of value to the enemy. In no event is an untrue statement of the effect of enemy bombing made. Statements may, however, be incomplete for reasons given above. Such statements will be completed as soon as this can be done without aiding the enemy.

Concerning Land Battles

3. Action on Land.

Information relative to action on land is issued during the progress of such action, or as soon as practicable after its termination. This information will be given in as much detail as possible immediately upon receipt and verification. Where possible, such information will include enemy casualties, a statement as to enemy forces engaged, and as to positions won or lost. It will not ordinarily include the strength or distribution of our forces, as this would give information of value to the enemy.

4. Movements of Ships and Troops.

Movements of ships and troops are among the most valuable forms of information which the enemy is constantly seeking to discover. Such information cannot possibly be published until after the movement is completed, and the enemy can no longer derive value from the knowledge of the movement. Similarly, identification of vessels or Army units in action cannot be published until it is clear that such information will not be of value to the enemy. Sailings, routes and cargoes of cargo ships are also withheld from publication.

5. Prospective Action.

It is obvious that information of what the Army or Navy intend or plan to do in action cannot possibly be released by the government. There is, of course, no objection to the publication of any private comment upon the future course of military or naval operations, but all such comments are wholly unofficial.

6. Review of Military Situation.

The joint chiefs of staff will shortly begin the publication of bulletins from time to time which will furnish an authoritative general review of the military situation in various theatres of war.

7. Casualties (Killed in Action).

Lists of members of the armed forces killed in action will be given out subject to the stipulation that press and radio will not publish nation-wide roundups but that newspapers and radio stations will confine themselves to the publication of casualties from their own localities.

Publication of such lists will be made subject also to the following restrictions:

A. Release will be delayed until the accuracy of the lists is well established and relatives notified, and until not giving aid or comfort to the enemy.

B. The rank and ratings of Navy officers and men will be withheld; likewise, designation of units to which Army officers and men have been assigned will be withheld.

Subject to these restrictions and to the above stipulation, the names of those killed in action will be made available with all possible speed.

Information About Production

8. Production Information.

To provide essential public information as to the progress of the production effort as a whole, the War Production Board will publish at frequent intervals a production communique, which will enable the public to judge whether the production program is progressing satisfactorily or not.

With respect to the shipbuilding program, the Maritime Commission publishes information concerning the laying of keels, launchings and deliveries.

General publication of specific information as to contract awards, site locations of war industries and military installations, estimated supplies of certain strategic and critical materials, specific production schedules and detailed progress reports have been discontinued.

General publication of such material can be most helpful to enemy spies and saboteurs. Publication of certain information of this kind is necessary to specific sections of the population, such as subcontractors, suppliers of labor, public utilities and others. Therefore, information of a non-detailed character with regard to plants and installations and the placing of large contracts is released for local publication.

Moreover, information regarding the letting of contracts, the construction of factories and cantonments, and the like which are necessary for the proper functioning of suppliers of labor, materials, facilities and other services, is given directly by appropriate agencies.

9. Statistical Information.

Certain statistics formerly published by the government have been withheld from publication because they are likely to give valuable information to the enemy, as, for example, information as to the utilization of ship tonnage. Every attempt is being made to keep such restrictions to a minimum and to continue publication of all statistical information of value to business, labor, agriculture and other elements of the population.

WATCH THAT WEATHER

J. H. Ryan, Assistant Director of Censorship, has issued the following warning:

The purpose of this communication is to call to the attention of those in authority certain program problems which might arise in applying the Code of Wartime Practices for American Broadcasters with the advent of baseball season.

Special attention of all baseball play-by-play broadcasters is called to Sub-paragraphs (1), (2) and (3) of Section I of the Code.

Sub-paragraph (1) provides that weather should not be broadcast unless officially authorized. It further suggests: "Special care should be taken against inadvertent references to weather conditions during sports broadcasts, special events, and similar projects." This means, specifically, that announcers are advised against ANY REFERENCE TO WEATHER during the broadcast.

If weather conditions cause cancellation of game, simply state the fact that the game has been cancelled without describing the cause. The unchallengeable baseball broadcast of 1942 will make NO reference to the weather conditions at the scene of play.

Sub-paragraphs (2) and (3) provide against the release of information concerning our armed forces. In each sub-paragraph, it is suggested that the movement of personnel of armed units should not be used unless appropriately authorized. It is likely that some broadcasters will want to interview former baseball players and officials who have joined the armed forces and have returned to their original environment on furlough. It is especially important that in conducting such interviews, the interviewer should not elicit from his subject the exact identity of the latter's unit (unless he is in a training camp), his destination after furlough has expired or any other information falling within the purview of Section I of the Code. Likewise, announcers should guard against stating specifically the location of former baseball notables who are now with the armed forces, again unless they are in training camps in the continental United States.

If it is the plan of any radio station to conduct informal quiz programs at locales of games, special reference should be made first to the stipulations in Sub-paragraph (b), Section II of the Code.

—AND WATCH ENEMY PROPAGANDA

In handling news originating from enemy sources, your news men and announcers should be careful to emphasize the source of the news. Don't let your listeners mistake propaganda for fact.

In handling matter that might, or might not be true, emphasize the source and point out that the news lacks official confirmation in this country.

In handling matter that obviously is enemy propaganda, a great deal can be done by contrasting the propaganda with known facts, tone of voice, etc.

In connection with the latter, a Washington newspaper heads dispatches from Berlin and Tokyo with a picture of a snorting bull.

Sales

Guide for Wartime Advertising

Thirty-nine specific tasks for wartime advertising are listed by the Advertising Federation of America in a pamphlet given national distribution last week. Because they give radio salesmen the answers to many questions now being asked by clients, the list is printed here with the suggestion that it be furnished every member of your sales staff.

1. Continue all normal distribution functions that do not impede war effort.
2. Maintain channels and trade contacts for future needs of industry.
3. Preserve customer good will.
4. Keep brand names alive.
5. Prepare to build markets for post-war output of enlarged capacities.
6. Keep enterprises alive and capable of resuming full employment.
7. Preserve desire for eventual higher living standards.
8. Discourage lowering of present living standards beyond necessary restrictions of war.
9. Help maintain freedom of press, radio, and other information facilities.
10. Guide buying of consumers with newly increased purchasing power.
11. Stimulate use of products that can be supplied in plenty.
12. Educate consumers on conservation, care, and repair of articles in use.
13. Help to spread out seasonal demand, reducing peaks in transportation requirements.
14. Discourage hoarding of commodities.
15. Explain elimination of frills in merchandise and service.
16. Explain substitution of materials.
17. Inform public on reasons for product scarcities and delays.
18. Deny false rumors of scarcity and rising prices.
19. Explain industry's part in war effort.
20. Foster national unity.
21. Promote intelligent patriotism.
22. Glorify service with our fighting forces.
23. Arouse enthusiasm of workers for production achievement.
24. Educate public on nutrition and other health matters.
25. Cooperate in campaigns for avoiding waste and collecting salvage.
26. Help sell Government bonds and stamps.
27. Assist in financial campaigns of voluntary service organizations.
28. Help in organization and conduct of home defense.
29. Assist in recruiting of specialists for armed forces.
30. Aid in promoting re-allocation of skilled labor in war industries.
31. Avoid advertising devices that draw upon critical materials.
32. Avoid disclosing information useful to the enemy.
33. Avoid giving unsupported information or misleading impressions about the state of the Nation or the progress of the war.
34. Avoid mere boasting of advertiser's patriotic service or technical achievement without conveying helpful information.
35. Avoid panic advertising based on threats of higher prices and scarcities.
36. Avoid waste in advertising.
37. Continue efforts to make merchandise advertising as helpfully informative as possible.
38. Aid and encourage the movement for education of consumers toward more efficient buying for satisfaction of needs.
39. At all times, do everything possible to help preserve our American system of free competitive enterprise.

Besides these concrete suggestions, the pamphlet contains a concise statement of advertising's place in a wartime economy, and presents a four-point listing of the functions of wartime advertising.

If stations desire extra copies for mailing purposes, etc., they may be ordered from the Advertising Federation of America, 330 West 42 St., New York, N. Y., at $2 per 100 or $15 per 1000.

Advertising Council Reorganized

The Advertising Council, Inc., has announced a reorganization and expansion of its elected officials. Those who will serve for the coming year are:

Chester J. LaRoche, Chairman of the Board; Chairman of the Board of Young and Rubicam.
Harold B. Thomas, Vice Chairman of the Board; President of The Centaur Company.
Paul West, Secretary; President of the Association of National Advertisers.
Frederic R. Gamble, Treasurer; Managing Director of the American Association of Advertising Agencies.

As previously announced, Dr. Miller McClintock will serve as Executive Director, in charge of operations.

In the interim, between board meetings, the affairs of the Council will be controlled by an Executive Committee, composed of the following:

Chester J. LaRoche, Chairman of the Board, Young and Rubicam.
James W. Young, Senior Consultant, J. Walter Thompson Co.
Charles G. Mortimer, Vice-President, General Foods Sales Co., Inc.
Harold B. Thomas, President, The Centaur Co.
Paul Kesten, Vice-President, Columbia Broadcasting System, Inc.
Wm. G. Chandler, Member of Advisory Committee, Scripps-Howard Newspapers.
Albert E. Winger, Executive Vice-President, Crowell-Collier Publishing Company.
Kerwin H. Fulton, President, Outdoor Advertising, Inc.

Per-Inquiry and Free Time

Klinger Advertising Corp., New York, seeks per-inquiry deals for **Unique Photo Co.**, although it also invites stations to submit evidence of mail-pull ability for placement of advertising at regular rates.

F. T. Brennan, Dow City, Iowa, is attempting to promote his book on railroad employees retirement on a P-I basis.

The American Drug & Chemical Co., previously reported here, is still trying to sell its **Min-A-Vite** product on a percentage deal.

The Northern Ohio Opera Association, sponsor of the Metropolitan Opera season in Cleveland, is reported to be purchasing newspaper space but asking for free radio time from Ohio broadcasters.

The Christian Science Committee on Publication for Illinois is offering scripts, "The Christian Science Monitor Views the News," asking for free time, and insisting that the scripts may not even be sponsored locally.

JANUARY BUSINESS UP

The January "Broadcast Advertising Record" will be mailed to cooperating stations this week. It shows that there was substantial gain in broadcast advertising unit volume in January, 1942 as compared with January, 1941, and bears out the comments on trend indications appearing in the NAB Reports article on page 143 of the March 13, 1942, issue. The figures are as follows:

Program units for January, 1942 were 7,879,000; 21% higher than the 6,500,000 unit volume recorded in January, 1941. Announcement units for January, 1942 were 1,151,000; 15% ahead of the 997,000 unit volume in January, 1941.

The twelve-month moving total figures for the year ending at the close of each month are as follows:

Year Ending	*Program Units*	*Announcement Units*
August, 1941	80,943,000	13,705,000
September, 1941	81,442,000	13,889,000
October, 1941	81,818,000	14,006,000
November, 1941	82,801,000	14,219,000
December, 1941	84,267,000	14,511,000
January, 1942	85,646,000	14,664,000

As mentioned, January volume substantiates the rising trend of broadcast advertising. As a matter of fact, they indicate that the forecasts contained in the March 14th article were conservative, and the new trend line would fall on or above the upper limits mentioned. They were: That program units would increase six to eight percent, and announcement units would increase ten to twelve percent in the year, 1942.

The broadcast advertising gains in January assume new significance when it is realized that newspaper advertising suffered loss in that month. As reported in "Media Records", newspaper lineage in January, 1942 stands at 89,340,896, as compared with 93,171,165 in January, 1941.

The January, 1942 "Broadcast Advertising Record", which will be sent to cooperating stations this week contains an improvement designed to increase its value in selling station time. With the counsel of the NAB Research Committee and the NAB Sales Managers Executive Committee, decision was reached to simplify the advertiser classifications. This simplification was accomplished by eliminating the "Retail" and "General" major classifications in favor of separate handling of store and product advertising under each major classification.

Immediate advantage is that all advertising under any given classification will be found in one segment of a table without the need for combining from various parts of the "Record". As an example, in the old "Record", automotive advertising was listed under the sub-headings of both retail and general and was recorded as such for both local and national spot business. Thus, there were four separate figures of automotive volume to be examined on different pages. The January report contains one entry of automotive advertising under each of local and national spot, and the consolidated table contains automotive figures for regional network and national network, in addition to local and national spot.

Further improvement in the "Broadcast Advertising Record" has now been made available to cooperating stations in the form of a complete classified report of the station's business for use in direct camparison with the station average figures presented in the "Record". Letters have been received from some of the cooperating stations to the effect that the changes constitute real improvements in simplifying cooperation and greatly increase the usefulness of the record in selling.

Plans For Army Radio Training

All qualified 1-A draftees enrolled in any of the ESMDT-NAB radio technician training courses may now enlist in the Enlisted Reserve Corps of the Army and complete their training in accordance with the regular class routine established by the college or university giving the course. By such enlistment a man continues at his job, takes night instruction alongside non-enlisted class members. Upon completion of the course he enters the Signal Corps for intensive in-service training for specialized communication tasks.

More than a dozen 1-A men, course members, have previously been advised by NAB of the procedure prior to this industry announcement. It was stated by the Signal Corps today that all such men, as well as others, will soon be invited officially to join the Enlisted Reserve Corps.

If men are being "pushed" by local draft boards, they are herewith advised that until further notice they may enlist by writing directly to Washington. These men should apply for enlistment in the Enlisted Reserve Corps to:

Chief Signal Officer,
Military Personnel,
U. S. Army Signal Corps,
Washington, D. C.

In the letter of application, the applicant should re-state his educational qualifications. It is assumed that they will coincide with the prerequisites appearing on the course outline in the hands of the educational institutions.

Earlier in the week men "in a hurry" were advised to wire Captain Richard R. Kilgore for instruction; but new advice, outlined above, takes precedence.

Men for Industry

One of the by-products of the radio technician program should be a supply of men for industry and broadcasting, since people of various ages are enrolled.

In two large centers of instruction it is learned that local industry can absorb more men than the total under training. In these centers this is apt to precipitate an unhealthy situation for broadcasters. It must not be forgotten that the Government is depending upon broadcasting stations to keep operating even under an adverse situation so far as technical employees are concerned. When, as and if, the U. S. Office of Education is granted more funds for training technicians for industry in general, it is believed that additional courses will be set up for the benefit of the industry.

Inspect Training Classes

Meantime, broadcast engineers are urged to visit nearest radio classes and to investigate the capability and availability of those who may not be qualified for the draft or other military service.

It is our opinion that even the 3-A classification means military service in the not too distant future. The preservation of broadcasting service in the United States demands that this view be given serious consideration in making plans for station operation.

Selective Service headquarters has given and is giving our technical personnel problems sympathetic attention; but it is not in the cards for 1-A men to be deferred beyond the time they can be replaced. In Washington they understand what the time requirements are.

Plan for the Future

If you have an engineer whom it will be difficult or impossible to replace, file Form 42-A with his Local Board. (Get the form from any Local Board.) In filling it out, state fully the engineer's duties, hours, etc. Certify as to the difficulty or impossibility of replacing him. If the Local Board denies temporary deferment, you have ten days to appeal to the Board of Appeals. If the appeal is lost, advise NAB of the engineer's name, number and location of his Local Board, and whether he is a first or second class operator. NAB will ask for immediate investigation by Selective Service Headquarters.

Meanwhile, contact trainees for replacement. Temporary deferment is all that can be expected, and station operators must exercise their ingenuity to get replacements not subject to induction.

Burlington, N. C., Course

Burlington, N. C. has a radio technician class of 45 very promising students, according to a letter from E. Z. Jones, manager of station WBBB. Ed Day, the station's chief engineer, is participating in the teaching job with members of North Carolina State College faculty.

Opelika, Ala., Course

J. H. Orr, director, WJHO, Opelike, writes that a radio technician training course is now in progress in his city arranged through the cooperation of the state coordinator of the NAB-ESMDT training program.

Louisville Courses

Louisville has six sections of the radio technician training classes in operation. Instruction is given at Radio Center, WAVE's building in Louisville.

Instructors are Orrin Towner, Technical Director of WHAS, W. Noble Smith, WHAS, L. G. Hewett, WHAS, Wm. S. Blanton, WHAS, and Bruce K. Heick, WHAS, and J. C. Gardner, WAVE. Laboratory assistance to the instructors are J. Emmett Graft, WHAS, John F. Ruffner, WAVE.

WHAS and WAVE also are furnishing instructors in Jeffersonville and New Albany, Indiana, under the ESMDT course specified by Purdue University. These instructors are Messrs. Bernard Holtman, WAVE, Joe Fox, WHAS, Quinn of WHAS, Summerford, WHAS, Boyers, WHAS. Wilbur Hudson, chief engineer of WAVE, will be a relief instructor.

Nathan Lord, manager, WAVE and industry representative for Kentucky, said that some of the courses started Monday March 16, and that all were operative during the week of March 23. He said that the six courses were arranged by Messrs. Towner and Hudson, Professor F. L. Wilkinson, Dean of Engineering at the University of Louisville, and Professor M. Houchens, institutional representative of ESMDT, University of Louisville, and Professor Samuel Fife, Speed Scientific School, University of Louisville.

Rutgers Is Training 2,032

Eighty-four sections in the fundamentals of radio with a total enrollment of 2,032 students in 30 cities tells a part of the story of New Jersey's efforts to give basic knowledge in radio. The 84 sections are under the jurisdiction of Rutgers University, New Brunswick.

M. A. Chaffee, associate director of the Rutger's radio program, said that he was hard pressed to find enough apparatus for the 2,000 odd students, Rutgers instituted the plan of traveling laboratory instructors which has saved a great deal in equipment.

"The work is organized very well," he wrote, "and we are already making plans to start the advanced course immediately upon completion of Part I."

The organization work of the 84 sections was all accomplished between January 26 and February 25. This is evidence of what can be achieved under the stress of circumstances. At the present time Rutgers has a back log of 523 approved applicants together with approximately 1,000 additional inquiries. If enrollment had not been discontinued because of lack of funds, Rutgers estimates that the enrollment to date wolud have been over 3,000. Here are today's figures:

City	*Sections*	*Students*	*Began*
Bayonne	1	26	Jan. 26
Red Bank (Fort Monmouth)	6	166	Jan. 26 Jan. 27
Long Branch (Fort Monmouth)	5	124	Jan. 28 Jan. 30
Asbury Park	6	158	Jan. 30 Feb. 9
Elizabeth	5	112	Feb. 2 Feb. 23
Mountain Lakes	2	43	Feb. 2 Feb. 23
Perth Amboy	3	90	Feb. 2 Feb. 24
Passaic	2	68	Feb. 4 Feb. 18
Paterson	5	129	Feb. 5 Feb. 19
Morristown	3	70	Feb. 6
Kearny	1	21	Feb. 9
Phillipsburg	1	31	Feb. 11
Atlantic City	4	94	Feb. 12 Feb. 17
Summit	2	48	Feb. 13
Pemberton	2	39	Feb. 16
New Brunswick	5	127	Feb. 16 Feb. 17
Jersey Homesteads	1	25	Feb. 19
Teaneck	2	57	Feb. 19
Trenton	4	83	Feb. 19
Freehold	1	21	Feb. 23
Vineland	2	48	Feb. 23
Woodbury	2	39	Feb. 23
Jersey City	6	118	Feb. 24
Newton	1	22	Feb. 24
Rutherford	1	21	Feb. 24
West New York	2	50	Feb. 24
Bridgeton	1	25	Feb. 25
East Orange	5	100	Feb. 25
Hackettstown	1	27	Feb. 25
Irvington	2	50	Feb. 25

KEEP CHRONOMETERS

Broadcast stations are warned not to sell chronometers to companies purporting to be purchasing them for the U. S. Navy. There is no denial that the chronometers are needed but a report which has been received indicates that the procedure is not according with best practice. As soon as the matter has been investigated by the Navy finding which might change the first sentence will be printed in the NAB REPORTS.

GEN. DENIG CREDITS RADIO

In a note to all broadcast stations, March 23, Brigadier General Robert L. Denig, U. S. Marine Corps, expressed thanks for the "splendid cooperation" that broadcasters have given the Marine Corps. He explained that in recognition of the crowded condition of the airlanes the spots mailed stations covered "special groups which are definitely needed and which can be obtained only through the radio channels."

RCA PROGRAM HELPS RECRUITING

T. J. Bernard, manager, radio programs, RCA Manufacturing Co., continues to cooperate in the recruiting effort for the armed forces. Such announcements are used with "considerable regularity" on the "Music You Want" program over 70-odd stations.

KTUL SPEAKERS' BUREAU

A radio speakers' bureau has been set up at KTUL, Tulsa, Okla., by William C. Gillespie, general manager. In the announcement distributed to civic groups, service groups, etc., the station explained that this was a gratuitous service. The four subjects, with speaker, now offered are "Radio a Member of Your Family," Carlyle Stevens, continuity editor; "The Size and Scope of Radio," John Esau, promotion manager; "Radio As a Public Servant," Jack Hoffman, program director; and "Your Window on the World—Radio," William C. Gillespie.

WJSV SHOW SETS RECORD

WJSV, Washington, D. C., claims the oldest program of its kind in the world in "Labor News Revue," which had its 400th consecutive weekly broadcast over WJSV on March 14.

The program is conducted by Elbert N. Dennis and does not represent any group, faction or organization, but is presented strictly as a public service. It was started in 1934 when Harry Butcher, now CBS vice president, was general manager. "Jess" Willard, present general manager of WJSV, says the show is now a Washington institution.

NAVAL DISTRICTS

Here are the boundaries of the naval districts referred to in last week's NAB REPORTS:

FIRST NAVAL DISTRICT

Includes Maine, New Hampshire, Vermont, Massachusetts, Rhode Island (including Block Island) and U. S. Naval shore activities in Newfoundland.

THIRD NAVAL DISTRICT

Includes Connecticut, New York, northern part of New Jersey (including counties of Mercer, Monmouth, and all counties north thereof), Nantucket Shoals Lightship.

FOURTH NAVAL DISTRICT

Includes Pennsylvania, southern part of New Jersey (including counties of Burlington, Ocean, and all counties south thereof), Delaware (including Winter Quarter Shoal Light Vessel).

FIFTH NAVAL DISTRICT

Includes Maryland; West Virginia; Virginia; northeastern North Carolina including counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare; Diamond Shoal Lightship; and U. S. naval shore activities at Bermuda.

SIXTH NAVAL DISTRICT

Includes South Carolina; Georgia; North Carolina except counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare.

SEVENTH NAVAL DISTRICT

Includes Florida, except counties west of Apalachicola River.

EIGHTH NAVAL DISTRICT

Includes Florida (counties west of Apalachicola River), Alabama, Tennessee, Louisiana, Mississippi, Arkansas, Oklahoma, Texas.

NINTH NAVAL DISTRICT

Includes Ohio, Michigan, Kentucky, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

ELEVENTH NAVAL DISTRICT

Includes New Mexico, Arizona, Clark County, Nevada, California (southern part) including counties of Santa Barbara, Kern, San Bernardino, and all counties south thereof.

TWELFTH NAVAL DISTRICT

Includes Colorado, Utah, Nevada (except Clark County), California (northern part), including California counties of San Luis Obispo, King, Tulare, Inyo and all counties north thereof.

THIRTEENTH NAVAL DISTRICT

Includes Washington, Oregon, Idaho, Montana, Wyoming, Alaska.

HORSE RACE RESULTS

Noting that the Code Committee has expressed its opinion that broadcasting of "race-by-race" horse race results are bad radio, a station this week inquired of NAB as to the propriety of airing a five-minute summary of race results under sponsorship.

NAB replied that there was nothing wrong with such a sponsored broadcast but that, under the Code, any "dopester," tip-sheet or race publications should not be accepted as sponsors of any kind of program.

By "race-by-race" horse race results is meant broadcasting the entire card, giving results, prices, "off-time" etc., as soon as possible after each race. Such broadcasting facilitates bookmakers' operations, it is believed, because most bettors refuse to bet on the second race until they know how they came out on the first, and so on.

SPEAKING OF RACES

Stiff sentences meted out to two men who resorted to illegal use of radio in an effort to broadcast "sure tips" to confederates during a horserace should deter others from trying to beat the races—at least with radio.

On March 21, in the United States District Court for the Northern District of West Virginia, Federal Judge Harry E. Watkins sentenced two such violators to prison terms. Joseph M. Wozniak received a prison term of 15 months and was fined $600 in addition. An accomplice, William M. Brennan, was sentenced to prison for one year and a day and was fined a like amount.

As reported in a press release of December 21, 1940, these men were apprehended while using unlicensed radio equipment at the Charlestown racetrack. Wozniak operated in the grandstand. By means of a portable radio transmitter concealed about his person, he broadcast the progress of a race to Brennan, in a nearby tourist cabin. Brennan, in turn, used a more powerful transmitter to flash the expected result to confederates listening in outside places. Thus, the conspirators were enabled to place sure bets on a race before the result became known to the public.

Labor

Cost of Living

The U. S. Labor Department reports that the cost of living increased 0.5 per cent between January 15 and February 15. The increase during the year ended February 15 was 11.7 per cent. Since August, 1939, the increase has been 14.2 per cent. Detailed figures are available at the NAB.

"Labor News Review"

With the 400th consecutive weekly broadcast of the "Labor News Review," over Station WJSV at 6:30 p. m., Saturday, March 14, this famous radio program achieved an unchallenged world record continuous run. It is now "The oldest program of its kind in the world."

The "Labor News Review" was founded in 1934 by Albert N. Dennis, extensively known as a writer and editor, who had been interested in radio since 1921. Mr. Dennis is commentator on labor, industry and related economics for WJSV-CBS and has been heard on the network on different occasions. He is also a news editor on general news for WJSV-CBS in Washington.

STATE ANTI-SABOTAGE LAW

The Mississippi legislature at the session just ended enacted an anti-sabotage law, with particular reference to communications facilities. Wiley P. Harris, WJDX, NAB Legislative Contact for that state, was instrumental in securing passage of this measure, which we print below:

An Act to Prevent Intentional Injury to or Interference With Property Used in Connection With War Preparation or Communications.

Section 1. Be It Enacted by the Legislature of the State of Mississippi, That whoever intentionally destroys, impairs, injures, interferes or tampers with real or personal property with reasonable grounds to believe that such act will hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, shall be punished by imprisonment for not more than ten years, or by a fine of not more than ten thousand dollars ($10,000.00) or both.

Section 2. Whoever intentionally destroys, impairs, injures, or tampers or interferes with any real or personal property used or useful in the maintenance, repair or operation of any telephone or telegraph system or radio station which is subject to regulation or licensing by any agency of the United States of America or of the State of Mississippi, with reasonable grounds to believe that such act will hinder, delay or interfere with the maintenance, repair or operation of such telephone or telegraph system or radio station, on conviction shall be punished as prescribed in Section 1 hereof.

Section 3. That this Act take effect and be in force from and after its passage.

(Approved March 18, 1942.)

STATE LEGISLATION

New York:

S. 1659 (Buckley) RADIO CORPORATION—STOCK TRANSFER RESTRICTIONS—Permits corporation engaged in or controlling radio communication or operating broadcasting station under U. S. license to prohibit or restrict the transfer to or ownership and voting rights of capital stock by aliens. Referred to Committee on Judiciary.

924 STATIONS

The Federal Communications Commission issued operating licenses to three stations and granted two permits for the construction of new stations during the month of February, 1942. One station was deleted. A comparative table by months follows

	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1
Operating	836	837	836	849	854	859	859	869	877	882	887	891	893
Construction	54	54	55	48	43	44	53	44	38	37	36	32	31
	890	891	891	897	897	903	912	913	915	919	923	923	924

FEDERAL COMMUNICATIONS COMMISSION

Fly Press Conference

There is no overall conclusion as to FCC investigations and studies, Chairman James Lawrence Fly told a press conference early this week when he was asked if it were true that the Commission has given up the super power and clear channel investigations. He suggested this at the Capitol last week when appearing before the House Rules Committee in testifying on the Cox resolution.

Mr. Fly told the newsmen that "our policy is to try to keep to normal current problems and not waste time, funds and energy on matters which can be kept in the background, for the time being and devote all possible time and energy to defense."

Briefly discussing the television situation Mr. Fly said "the thing we must do is to keep television in vigorous condition and get all the benefit we can out of this time which is necessarily devoted to it and then be ready to shoot the well sounded industry when the letdown comes after the war. It will be a tremendous benefit not only to the industry but to the country to have such an industry that is ready to go, and of course we do expect that it will be ready to go."

Gillingham to Army

George O. Gillingham, chief of the Public Relations Division of the FCC was granted leave this week to enter the army. He served in the army during World War No. 1. He has been with the FCC since October 1939. Gillingham has been called by Washington newspapermen one of the best information officials in the government and is universally liked.

Edgar Jones, Washington correspondent for Bill Board, has been approved by the Commission for the Public Relations Division. He was to have been assistant to Gillingham but now that the latter has resigned Jones may head the Division at least temporarily. Gillingham before going to FCC had been senior information service representative and chief of the Washington information office of the TVA.

FCC Radio Operator Cited

For his alertness in intercepting an SOS message and his initiative in taking action which assisted in the rescue of seven men in a Navy patrol plane forced down at sea off the Galapagos Island on January 15, James F. Farrell, radio operator in the Federal Communications Commission monitoring service, has been formally cited by the Commission.

A member of the Commission's National Defense Operations Section for but eight months, Mr. Farrell was on listening-in-duty at Westchester, Pa., when he heard the plane radio its position and desperate situation. He immediately communicated this and subsequent information to the Philadelphia Navy Yard.

The Director of Naval Communications advised the Commission that Mr. Farrell was not only first to flash word of the plane's plight but also stated that his alertness in watch-standing and initiative in taking prompt action under such circumstances is considered highly commendable and worthy of recognition.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 30. They are subject to change.

Tuesday, March 31

Further Hearing

NEW—Park Cities Broadcasting Corporation, Dallas, Tex.—C. P., **710 kc.**, 5 KW, DA-night, unlimited time.

Further Consolidated Hearing

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—C. P., **710 kc.**, 10 KW, unlimited time, DA-night.

WHB—WHB Broadcasting Co., Kansas City, Mo.—C. P., **710 kc.**, 5 KW, unlimited time, DA-day and night.

Wednesday, April 1

Consolidated Hearing

NEW—James F. Hopkins, Inc., Ann Arbor, Mich.—C. P., **1050 kc.**, 1 KW day, daytime.

NEW—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—C. P., **1050 kc.**, 1 KW day, daytime.

Thursday, April 2

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—Modification of C. P., **860 kc.**, 500 watts day, daytime.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Allegheny Broadcasting Corp., Elkins, W. Va.—Granted construction permit (B2-P-3328) for new station to operate on **1240 kc.,** 250 watts, unlimited time; exact transmitter site and antenna system to be determined subject to Commission's approval.

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted modification (B4-MP-1499) of construction permit (B4-P-2827, as modified) to make local change in proposed transmitter site, and extend commencement and completion dates.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted petition to grant renewal of license on a regular basis.

WGCM—P. K. Ewing (transferor), Hugh O. Jones and William E. Jones (transferee), Gulfport, Miss.—Granted consent to the relinquishment of control of WGCM, Inc., licensee of Station WGCM, by P. K. Ewing through the sale of all outstanding stock of licensee corporation to Hugh Jones and William Eugene Jones for a consideration of $17,500 (B3-TC-297).

KBWD—Wendell Mayes, Joe N. Weatherby, B. P. Bludworth, and J. S. McBeath, d/b as Brown County Broadcasting Co. (assignor), Brown County Broadcasting Co. (assignee), Brownwood, Tex.—Granted consent to assignment of license of Station KBWD from Wendell Mayes, Joe N. Weatherby, B. P. Bludworth and J. S. McBeath, d/b as Brown County Broadcasting Co. (a general partnership), to Brown County Broadcasting Co. (a corporation) (B3-AL-335).

WTMV—William H. West, Jr. (transferor), Carlin S. French (transferee), East St. Louis, Ill.—Granted consent to the transfer of control of Mississippi Valley Broadcasting Co., Inc., licensee of Station WTMV, from William H. West, Jr., to Carlin S. French (B4-TC-284).

DESIGNATED FOR HEARING

WCBS—WCBS, Inc., Springfield, Ill.—Designated for hearing application for construction permit (B4-P-3141) to change frequency from **1450** to **1170 kc.,** increase power from 250 watts to 1 KW night, 5 KW day, install new transmitter and directional antenna system for day and night use and move transmitter locally.

Sacandaga Broadcasting Corp., Gloversville, N. Y.—Designated for hearing application for construction permit (B1-P-3404) for new station to operate on **1340 kc.,** 250 watts, unlimited time.

WSOY—Commodore Broadcasting, Inc., Decatur, Ill.—Designated for hearing application for construction permit (B4-P-3028) to change frequency from **1340** to **1560 kc.,** increase power from 250 watts to 10 KW, install new transmitter and directional antenna for night use, and move transmitter locally (Docket No. 6004).

KITE—First National Television, Inc., Kansas City, Mo.—Designated for hearing application for renewal of license for the period ending December 1, 1942 (B4-R-1019).

ACTION ON DOCKET CASE

The Commission has announced its proposal to deny the application of Dodge City Broadcasting Co., Inc., for modification of license of its standard broadcast station KGNO at Dodge City, Kans., to increase night power from 250 watts to 500 watts, with continuance of 1 KW daytime. In its Proposed Findings (B-150), the Commission concludes:

"The proposal of the applicant in this case contemplates an extension of the primary service of KGNO to include an additional area of 231 square miles with a population of 1,068. This additional area does not now receive primary service from any existing station. The proposed operation of KGNO will result in a reduction of the present interference-free service area of Station KGIR (Butte, Mont.), eliminating that station's present service in an area of 180 square miles with a population of 1,265, which now receives its only primary broadcast service from KGIR. Upon these facts alone and without considering the increased interference within the present service area of KFRO (Longview, Tex.), we are constrained to find that public interest will not be served by the granting of the applicant's request for authority to increase the power of Station KGNO."

LICENSE RENEWALS

Granted renewal of following station licenses for the period April 1, 1942, to not later than August 1, 1942:

WBEN and auxiliary, Buffalo, N. Y.; KFEL, Denver, Colo.; WJAX, Jacksonville, Fla.

Granted renewal of following station licenses for the period ending in no event later than August 1, 1942:

KLX, Oakland, Calif.; KUSD, Vermillion, S. Dak.; KVAN, Vancouver, Wash.

Granted renewal of following station licenses for the period ending in no event later than February 1, 1944:

KMPC and auxiliary, Beverly Hills, Calif.; WLW, Cincinnati, Ohio.

Granted renewal of following station license for the period ending in no event later than April 1, 1944:

KFBI, Wichita, Kans.

Granted renewal of following station licenses for the period April 1, 1942, to not later than June 1, 1944:

KVI, Tacoma, Wash.; WDBO and auxiliary, Orlando, Fla.; WEEI, Boston, Mass.; WHJB, Greensburg, Pa.; WMAM, Marinette, Wis.; WAGE, Syracuse, N. Y.; KMJ, Fresno, Calif.; KOH, Reno, Nev.; KWTO, Springfield, Mo.; WGAN and auxiliary, Portland, Maine; WCAO and auxiliary, Baltimore, Md.; WCHS, Charleston, W. Va.; WDAF, Kansas City, Mo.; WIBW, Topeka, Kans.; KGKO, Fort Worth, Tex.

Granted further extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1942:

KFJB, Marshalltown, Iowa; WBRB, Red Bank, N. J.; WCBT, Roanoke Rapids, N. C.; WJMA, Covington, Va.; KGIW, Alamosa, Colo.; KBST, Big Springs, Tex.; KCMC, Texarkana, Tex.; KGKL, San Angelo, Tex.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KVRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; WBNY, Buffalo, N. Y.; WMFJ, Daytona Beach, Fla.; WSPB, Sarasota, Fla.; KWKH, Shreveport, La.; KXL, Portland, Ore.; WCAZ, Carthage, Ill.; WFMD, Frederick, Md.

Granted further extension of following station license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1942:

KFQD, Anchorage, Alaska.

Granted renewal of following station licenses for the period ending in no event later than June 1, 1944:

KWFT, Wichita Falls, Tex.; KXOK, St. Louis, Mo.; KFIL and auxiliary, Philadelphia, Pa.; WIND and auxiliary, Gary, Ind.; WIOD and auxiliary, Miami, Fla.; WIP and auxiliary, Philadelphia, Pa.; WCLE, Cleveland, Ohio.

Granted further extension upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than May 1, 1942, of following station licenses:

W5XAU, Oklahoma City, Okla.; W9XLA, Denver, Colo.

Granted further extension upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than May 1, 1942, of following station licenses:

W2XWE, Albany, N. Y.; W8XUM, Columbus, Ohio; W9XZY, St. Louis, Mo.

Granted renewal of following television broadcast station licenses for the period ending February 1, 1943:

W3XP, portable, area of Philadelphia, Pa.; W9XUI, Iowa City, Iowa.

MISCELLANEOUS

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—On its own motion the Commission supplemented notice of issues in Docket No. 5963, and ordered retention of present hearing date—April 27, 1942.

KFRO—Voice of Longview, Longview, Tex.—On its own motion the Commission supplemented notice of issues in Docket No. 5954, with retention of present hearing date—May 18, 1942.

Beauford H. Jester, Roy Branham Albaugh (both of Waco, Tex.). On its own motion the Commission supplemented notice of issues in Docket Nos. 6218 and 6219, with retention of present consolidated hearing date—May 4, 1942.

Broadcasters, Inc., San Jose, Calif.; San Jose Broadcasting Co., San Jose, Calif.; Luther E. Gibson, Vallejo, Calif.—On its own motion the Commission supplemented notices of issues in Docket Nos. 6241, 6242 and 6243.

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—On its own motion the Commission supplemented notice of issues in Docket No. 6200.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—On its own motion the Commission supplemented notice of issues in Docket No. 6130, and ordered retention of present hearing date—April 27, 1942.

WLW—The Crosley Corp., Cincinnati, Ohio.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1349).

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted modification of construction permit for increase in power and installation of directional antenna, for extension of completion date from March 1 to June 1, 1942 (B5-MP-1515).

WRNL—Richmond Radio Corp., Richmond, Va.—Granted license to use directional antenna at night with auxiliary transmitter (B2-L-1613). Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1346).

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted license to cover construction permit which authorized move of old main transmitter to site of new main transmitter and use as auxiliary transmitter with power of 5 KW for emergency use only (B1-L-1617). Granted authority to determine operating power by direct measurement of antenna power input of auxiliary transmitter (B1-Z-1345).

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—Granted license to cover construction permit which authorized increase in daytime power and change in equipment (B4-L-1612).

WGTM—WGTM, Inc., Wilson, N. C.—Granted license to cover construction permit which authorized move of studio and transmitter (B3-L-1516); granted authority to determine operating power by direct measurement of antenna input (B3-Z-1243).

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of construction permit as modified, for new equipment and increase in power, for extension of completion date from April 1, 1942, to June 1, 1942 (B5-MP-1528).

KXYZ—Harris County Broadcast Co., Houston, Tex.—Granted modification of construction permit for installation of new transmitter, directional antenna for night use, change in frequency, and increase in power and move of transmitter, for extension of completion date from March 9 to September 9, 1942 (B3-MP-1522).

KPRC—Houston Printing Corp., Houston, Tex.—Granted modification of construction permit as modified, for installation of directional antenna for night use, and increase in power, for extension of completion date from March 8 to May 8, 1942 (B3-MP-1527).

WEIM—Ruben E. Aronheim, Fitchburg, Mass.—Granted license to cover construction permit as modified, for new station, for approval of studio site at 717 Main St., Fitchburg, Mass. (B1-L-1535). Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1262).

KPRC—Houston Printing Corp., Houston, Tex.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1362).

Queen City Broadcasting Co., Inc., Portable-Mobile, area of Seattle, Wash.—Granted construction permit for new relay broadcast station; **30820, 33740, 35820, 37980 kc.,** 50 watts (B5-PRE-421). Granted license for same (B5-LRE-378).

WKRB—American Broadcasting Corp. of Kentucky, Portable-Mobile, area of Lexington, Ky.—Granted license to cover construction permit for new relay broadcast station (B2-LRY-255).

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted license to cover construction permit for changes in directional antenna, install new transmitter and increase power (B1-L-1551); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1280).

Westinghouse Radio Stations, Inc., Portable-Mobile, area of Philadelphia, Pa.—Granted construction permit for new relay broadcast station; **156750, 518400, 159300, 161100 kc.,** 20 watts (B2-PRE-423).

KFAS—Midnight Sun Broadcasting Co., Portable-Mobile, area of Fairbanks, Alaska.—Granted license for reinstatement of relay broadcast station license which expired December 1, 1941 (B-LRE-377).

W51SL—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Granted modification of construction permit which authorized a new high frequency broadcast station, for extension of completion date from January 20 to April 20, 1942 (B2-MPH-59).

W67NY—Columbia Broadcasting System, Inc.—Granted modification of construction permit as modified, which authorized a new high frequency broadcast station, for extension of completion date only, from March 28 to September 14, 1942 (B1-MPH-74).

W75P—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Granted modification of construction permit which authorized construction of a new high frequency broadcast station, for approval of transmitter (B2-MPH-16).

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Granted modification of construction permit as modified, which authorized new experimental television broadcast station, for extension of completion date only, from April 28 to October 28, 1942 (B2-MPVB-76).

WMJT—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted modification of construction permit, which authorized new commercial television station, for extension of completion date only, from April 27 to October 27, 1942 (B4-MPCT-8).

WIUC—University of Illinois, Urbana, Ill.—Granted modification of construction permit, which authorized a new non-commercial educational broadcast station, for extension of completion date only, from March 16 to July 16, 1942 (B4-MPED-8).

WIAC—Enrique Abarca Sanfeliz, San Juan, P. R.—Granted license to cover construction permit for new station (B-L-1619); granted authority to determine operating power by direct measurement of antenna input (B-Z-1351).

A. M. Burton, Nashville, Tenn.—On its own motion the Commission supplemented notice of issues in Docket 6109.

WCSC—The Liberty Life Insurance Co. (transferor), John M. Rivers (transferee), South Carolina Broadcasting Co., Inc., Charleston, S. C.—Adopted order making final the Proposed Findings of Fact and Conclusions denying the joint application of The Liberty Life Insurance Co., and John M. Rivers for consent to the transfer of control of the South Carolina Broadcasting Co., Inc., licensee of Station WCSC (B-146).

Herman Radner, Dearborn, Mich.—Granted motion for continuance to May 25 of hearing now scheduled for April 6 on application for new station.

W65H—WDRC, Inc., Hartford, Conn.; The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted motion for continuance to May 26 of hearing now set for March 26 in re WDRC, Inc., request for modification of FM application, and application of Radio Voice of New Hampshire, Inc., for new FM station; CBS petition to intervene passed nisi.

WDNC—Durham Radio Corp., Durham, N. C.—Denied petition to retire to the Commission's closed files petitioner's application (B3-P-3170) for construction permit, hearing on which is now set for March 30; exceptions noted by counsel for petitioners. On the Commission's own motion the hearing was continued to April 29; time for filing appeal to Commission extended to March 25; reply to appeal to be filed March 30.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Denied petition to retire to the Commission's closed files petitioner's application (B4-P-3077) for construction permit, hearing on which is now set for March 24; exceptions noted by counsel for petitioners. The Commission on its own motion continued the hearing to April 23; time for filing appeal to Commission extended to March 25, reply to appeal to be filed March 30.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Granted motion to take depositions in re applications for construction permit, modification of construction permit, and renewal of license of WPRP, on condition that petitioner notify the Commission within 10 days as to exact time and places of taking of depositions.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted modification of construction permit as modified, for new transmitter, install directional antenna for day and night use, increase power, change to NARBA frequency, change in hours of operation, and move transmitter, for extension of completion date from March 20 to May 20, 1942 (B4-MP-1540).

WSBA—Susquehanna Broadcasting Co., York, Pa.—Granted modification of construction permit for new station, for approval of antenna and approval of transmitter and studio site (B2-MP-1506).

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted modification of construction permit as modified, for move of transmitter, increase in night power and install directional antenna for night use, for extension of completion date from March 23 to June 23, 1942 (B3-MP-1532).

KVSO—Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Granted modification of license to move studio to Hotel Ardmore, Mezzanine Floor, 301 West Main St., Ardmore, Oklahoma (B3-ML-1113).

South Florida Broadcasting, Inc., Miami, Fla.—Denied motion for grant of construction permit for a new station to operate on **1450 kc.**, with power of 250 watts, unlimited time, now subject of further hearing.

APPLICATIONS FILED AT FCC

550 Kilocycles

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to cover construction permit (B1-P-3393) to move auxiliary transmitter to site of new main transmitter.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to determine operating power by direct method.

560 Kilocycles

WQAM—Miami Broadcasting Co., Miami, Fla.—Modification of construction permit (B3-P-2597) for increase in power and new equipment, requesting change in type of transmitter and approval of present transmitter site and antenna.

610 Kilocycles

WSGN—The Birmingham News Co., Birmingham. Ala.—Construction permit to increase power from 1 KW to 1 KW night, 5 KW day, using directional antenna night, and install new transmitter. Amended: re changes in transmitting equipment.

680 Kilocycles

KPO—The National Broadcasting Co., Inc., San Francisco, Calif.—License to cover construction permit (B5-P-3251) for changes in equipment.

850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—License to cover construction permit (B1-P-2201) as modified, for new equipment, directional antenna for night use, increase in power and change in hours.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to determine operating power by direct method.

950 Kilocycles

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Construction permit to make changes in directional antenna and increase power from 1 KW night, 5 KW day to 5 KW. Amended: re directional antenna system.

1100 Kilocycles

WTAM—National Broadcasting Co., Inc., Cleveland, Ohio.—Authority to determine operating power by direct method.

1230 Kilocycles

WISE—Radio Station WISE, Inc., Asheville, N. C.—Authority to determine operating power by direct method.

1290 Kilocycles

NEW—Grand View Broadcasting Co., Peoria, Ill.—Construction permit for a new broadcast station to be operated on **1290 kc.**, 1 KW, unlimited time, using directional antenna.

1300 Kilocycles

NEW—Lake Shore Broadcasting Corp., Cleveland, Ohio.—Construction permit for a new broadcast station to be operated on **1300 kc.**, 5 KW, unlimited time, directional antenna day and night. Amended: re corporate structure and to correct geographic location.

KFXM—J. C. and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Construction permit to install new transmitter, directional antenna for day and night, change frequency from **1240** to **1300 kc.**, increase power from 250 watts to 1 KW and hours from share KPPC to unlimited hours.

1320 Kilocycles

KLCN—Fred O. Grimwood, Blytheville, Ark.—Modification of construction permit (B3-P-3037) as modified, to install new transmitter, changes in antenna, increase in power, change in frequency and move transmitter, requesting extension of completion date from 3-22-42 to 4-23-42.

1340 Kilocycles

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—License to use old main transmitter as an auxiliary transmitter.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit to install new transmitter.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Authority to determine operating power by direct method.

1350 Kilocycles

WORK—York Broadcasting Co., York, Pa.—Modification of construction permit (B2-P-3205) for installation of directional antenna for night use, requesting extension of completion date from 4-5-42 to 6-30-42.

1440 Kilocycles

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Special service authorization to operate on **860 kc.**, with power of 500 watts night, 5 KW day, unlimited time for period ending 8-1-42.

1600 Kilocycles

WWRL—Long Island Broadcasting Corp., Woodside, L. I., N. Y.—Modification of construction permit (B1-P-3116) as modified, for new transmitter, new antenna system, increase in power and move transmitter, requesting extension of completion date from 4-1-42 to 8-2-42.

FM APPLICATIONS

NEW—WMCA, Inc., New York, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **48300 kc.**; population: 10,817,455; coverage: 8,550 square miles. Amended: to change name from Knickerbocker Broadcasting Co., Inc., to WMCA, Inc.

W41MM—Gordon Gray, Winston-Salem, N. C.—Modification of construction permit (B3-PH-76) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-14-42 to 10-14-42.

TELEVISION APPLICATIONS

KSEE—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PCT-10) as modified, for a new television broadcast station, requesting changes in aural transmitter, to increase ESR from 1850 to 7654, move transmitter, changes in antenna and extension of commencement and completion dates from 1-15-42 and 7-15-42 to 60 days after grant and 180 days thereafter, respectively.

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PVB-47) as modified, for a new television broadcast station, requesting extension of completion date from 3-28-42 to 9-28-42.

KTSL—Don Lee Broadcasting System, Hollywood, Calif.—Modification of construction permit (B5-PCT-7) for a new commercial television broadcast station, requesting extension of completion date from 4-12-42 to 10-12-42.

MISCELLANEOUS APPLICATIONS

WBEZ—Board of Education, City of Chicago, Chicago, Ill.—Modification of construction permit (B4-PED-22) for a new non-commercial educational broadcast station, requesting extension of completion date from 3-29-42 to 7-1-42.

WBEE—Worcester Telegram Publishing Co., Inc., Portable-Mobile.—Modification of construction permit (B1-PRY-266) for a new relay broadcast station, requesting change in type of transmitter, decrease in power from 50 to 40 watts and extension of commencement and completion dates from 3-7-42 and 9-7-42 to 30 days after grant and 120 days thereafter, respectively.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Consumer's Research Service and as Consumer's Report Service, Nathaniel Friedman, 4305 North Keeler Ave., Chicago, is charged in a complaint with misrepresentation in the sale of publications which purport to supply dealers and the public with information with respect to the relative merits of various makes of automobiles. The respondent's publications are known as "Consumer's Research Reporter, 1940 Report on Automobile Values" and "Consumer's Automobile Reporter, 1941 Report on Automobile Values." (4734)

Freeman & Freeman—Alleging misrepresentation of an automobile polish designated "Porcelainize," a complaint has been issued against Edwin M. Freeman, William A. Freeman, and Michael J. Freeman, trading as Freeman & Freeman, 696 South Broadway, Denver, Colo. (4735)

Giroux Company—A complaint has been issued charging Giroux Co., Inc., 401 West 13th St., New York, with misrepresentation in the sale of a table sauce. (4731)

Howe & Company—A complaint has been issued charging Phil Howe, trading as Howe & Co., 1535 11th Ave., Seattle, with misrepresentation in the sale of cosmetics. The respondent, who is a wholesaler of cosmetics, has branch offices in New York and Toronto, Canada. (4729)

Indian River Fruit & Vegetable Distributors, Inc., Vero Beach, Fla., and Frank C. Spadaro, president and general manager of the corporation, are charged in a complaint with falsely representing that citrus fruit they sell is grown in the Indian River district of Florida. Spadaro also does business as F. C. Spadaro Co. (4730)

Montgomery Ward & Co., Inc., Chicago, is charged in a complaint with misrepresentation in the sale of cosmetics. (4728)

Motion Picture Advertising Service, et al.—Charged with entering into and carrying out agreements and conspiracies to suppress competition and create a monopoly in the interstate sale, lease and rental of commercial motion picture films advertising the products of national advertisers, five producers and distributors of such films, and two booking agencies and a trade association which the distributors allegedly organized to further their program, are named respondents in a complaint.

Distributors named in the complaint are Motion Picture Advertising Service Co., Inc., 1032 Carondelet St., New Orleans; United Film Ad Service, Inc., 2449 Charlotte St., Kansas City, Mo.; Ray-Bell Films, Inc., 2269 Ford Parkway, St. Paul, Minn.; Alexander Film Co., Colorado Springs, Colo., and A. V. Cauger Service, Inc., 109 Winner Road, Independence, Mo.

The two respondent booking agencies, allegedly organized by the distributors to solicit national film advertising contracts from manufacturers, are Screen Broadcast Corp., 30 Rockefeller Plaza, New York, and General Screen Advertising, Inc., 400 North Michigan Ave., Chicago. The respondent trade association, alleged to have been formed by the distributors to adopt rules and regulations governing the handling of cooperative advertising films and programs, is Association of Advertising Film Companies.

Individual respondents named in the complaint are Albert E. Fair, president of Screen Broadcast Corp.; J. D. Alexander, president of Alexander Film Co., and chairman of the board of directors of General Screen Advertising, Inc., and C. J. Mabry, vice president and treasurer of Motion Picture Advertising Service Co., Inc., and secretary of the respondent trade association. (4736)

New York Handkerchief Manufacturing Co., 1021 West Adams St., Chicago, in a complaint is charged with misrepresentation in the sale of handkerchiefs. (4727)

Precision Apparatus Company—Misrepresentation of the character, quality and performance ability of radio tube testing instruments is alleged in a complaint issued against Murray Mentzer and Solomon W. Weingast, trading as Precision Apparatus Co., 647 Kent Ave., Brooklyn. The instruments manufactured and sold by the respondents are designated "Dynamic Mutual Conductance Tube Testers." (4732)

Vitamin Products Co., 2023 West Wisconsin Ave., Milwaukee, is charged in a complaint with disseminating false advertisements concerning certain medicinal preparations he sells in interstate commerce. (4733)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Batesville Casket Co., Batesville, Ind., in the sale of a burial casket designated "Monoseal," stipulated to cease advertising that the product possesses air-tight and waterproof qualities and a tendency to effectively resist corrosion which will endure after its burial underground, or that the casket will remain in such condition after burial as to assure permanent protection or absolute security to the body encased therein "for centuries." (3432)

D'Orsay Sales Corp., 71 Fifth Ave., New York, perfume distributor, stipulated to cease using the word "Paris" alone or in conjunction with other words of French or other foreign derivation, so as to imply that the preparations so labeled or advertised are manufactured, mixed, blended or compounded in Paris, France, and imported, as finished products, into the United States. The stipulation provides that when such products are domestically made into finished products from ingredients all or a substantial portion of which have been obtained from France, the word "Paris," if used to indicate the foreign origin of the ingredients, shall be accompanied by other words clearly indicating that the finished products are made in the United States and are not of French manufacture. The respondent also agrees to desist from using the phrase "designed by LaLique" in referring to American-made bottle containers. (3431)

Dr. Peter Fahrney & Sons Co., 2501 Washington Blvd., Chicago, entered into a stipulation to cease and desist from misrepresentation in the sale of medicinal products designated "Forni's Alpenkrauter," "Forni's Magolo," and "Forni's Heil-Oel Liniment." (02959)

Franco-Italian Packing Co., Inc., Terminal Island, Calif., tuna fish packer, stipulated that in the sale of domestically obtained tuna fish products it will cease using on labels affixed to containers the word "Tonno," alone or in connection with other Italian words, pictorial representations, insignia, or otherwise, so as to imply that its products are obtained from waters in or about the coasts of Italy or imported from that country. (3432)

Goldentone Radio Co., 15123 Warren Ave., Dearborn, Mich., has made a supplemental stipulation in which he agrees to cease representing, in connection with the sale of "Goldentone" radios, that 50 percent or any other substantial amount of money can be saved by the purchase of his radios; that he owns or operates the factory in which his radios are made or that such radios can be purchased from him at factory prices, thereby eliminating the profit of either a dealer, jobber or salesman; that the guarantee issued to customers includes a guarantee of many years of enjoyable reception; and that a ten-day free trial or any free trial is given to a customer upon the purchase of one of his radios. (01780)

Lewis Hotel Training Schools, Inc., 2301 Pennsylvania Ave., N. W., Washington, D. C., in a supplemental stipulation entered into, agrees to cease representing that its course of training for various positions in the hotel and allied fields will qualify persons without previous experience, and with only a grade school education, to fill any position at any salary which calls for educational qualifications, specialized training, or practical experience not provided by the course; that persons taking the course will be assured of security and advancement in the hotel and allied fields; and that the Lewis Hotel School graduate can qualify for any stated salary in a beginner's position greater than the average salary received in such positions by a representative number of the school's graduates upon their graduation. The stipulation is supplemental to Stipulation 01445, accepted by the Commission in 1936, which remains in effect. (02958)

Mears Radio Hearing Device Corp., One West 34th St., and Charles W. Hoyt Co., 551 Fifth Ave., New York, the latter an advertising agency, have entered into a stipulation to cease certain representations in the sale of hearing-aid devices. In the sale of the Mears company's vacuum tube crystal hearing-aid device designated "Aurophone Model No. 98," the respondents agree to cease disseminating advertising matter representing that the product is better suited to supply the hearing-aid needs of persons regardless of the kind or degree of their hearing afflictions; that it will assure all deaf or partially deaf persons of clear, natural and understandable sounds or immeasurably improve hearing under all conditions; that it will retard deafness by stimulating and activating the ossicles of the middle ear, and that the device is an entirely new product or is the lightest or smallest hearing-aid instrument now on the market. (3430)

Mid West Mills, Inc., 2217 Chester Ave., Cleveland, distributor of upholstery fabrics, has entered into a stipulation to cease using the word "Mills" as part of its corporate or trade name, and to discontinue use of such word or any similar word in a manner implying that the respondent manufactures the merchandise it sells or owns and operates a plant in which its products are made. (3428)

Parker-Bouldin Co., 500 Robert St., St. Paul, Minn., has entered into a stipulation to cease representing that a cosmetic designated "Priscilla Parker Breath Correcting Lipstick" is effective in neutralizing offensive breath or that the product's ingredients are harmless. The respondent also agrees not to publish advertisements which fail to reveal that continued use of the lipstick over too prolonged periods of time may in certain individuals cause exfoliation of the skin; provided, however, that such advertisement need contain only the statement: "Caution, use only as directed," if the directions in the labeling contain an appropriate warning. According to the stipulation, the respondent's lipstick contains the chemical resorcinol. The respondent also stipulates that he will cease employing the terms "Breath Correcting" or "Deodorizing" in the brand name of the lipstick. (02955)

Ridge Tool Co., Elyria, Ohio, manufacturer of pipe tools, including pipe threading devices and chaser dies, stipulated to cease using the words "all-steel malleable-alloy" as descriptive of its pipe-threading devices and the word "steel," alone or with the word "all," so as to imply that such devices are composed of parts all of which are made of steel, when actually they are not made of that metal. The respondent further agrees to discontinue employing the words "semi-high-speed tool steel" as descriptive of its chaser dies in a manner implying that the metal of which the tools are made maintains its hardness and cutting ability practically unimpaired, as when heated to visible red temperature, when actually such tools are not metal of that type. (3429)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Clinton Company—An order to cease and desist from price discriminations in connection with the sale of glucose, in violation of the Robinson-Patman Act, has been issued against Clinton Co., Clinton, Iowa, manufacturer of corn products, and its subsidiary, Clinton Sales Co., Chicago. (3800)

Corn Products Refining Co., and its sales subsidiary, Corn Products Sales Co., Inc., New York, has been ordered to cease and desist from discriminating in price and in services and facilities and from exclusive dealing arrangements in violation of the Robinson-Patman and Clayton Acts in connection with the sale of products resulting from the grinding and refining of corn, such as bulk glucose or corn syrup, corn starch and starch products, dextrose, and corn gluten feed and meal. (3633)

Ingenuities Corporation of America, 745 Fifth Ave., New York, licensor of a patent for the construction of neckties and of a trade-mark for such ties, and two of its licensees, have been ordered to cease and desist from misrepresenting the fabric composition of ties. The respondent licensees are Goldberg, Squire, Lesser and Cohen, Inc., 3 East 28th St., New York, and T. P. McCutcheon and Brother, Inc., 1216 Arch St., Philadelphia. (4593)

Southern Rice Sales Co., Inc., 11 Beach St., New York, which sells "River Brand Brown Rice" and "River Brand Puffed Brown Rice," and Donahue & Coe, Inc., 1270 Sixth Ave., New York, an advertising agency disseminating advertisements of River Brand rice products, stipulated to cease representing that River Brand Brown Rice will regularly provide per ounce as many as 56.8 international units of vitamin B-1 or 25.6 micrograms of vitamin B-2, or, when eaten in quantities ordinarily consumed, will supply a child's or an adult's daily minimum nutritional requirement for vitamin B-1; that River Brand Brown Rice will keep one healthy; that River Brand Puffed Brown Rice is comparable, in its vitamin B-1 and vitamin B-2 content, to unpuffed brown rice; and that any one of the vitamins contained in River Brand Puffed Brown Rice is the health vitamin. (02956-02957)

FTC CASE CLOSED

The Federal Trade Commission has closed its case against The Taylor School of Bio-Psychology, Inc., and others, Chattanooga, Tenn., who had been charged in a complaint with violation of the Federal Trade Commission Act in the sale of correspondence courses in psychology, philosophy, religion, and allied subjects. The case was closed without prejudice to the right of the Commission to reopen it should the facts warrant.

In closing the case the Commission stated that the public interest involved was not sufficient to justify corrective action.

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 14, April 3, 1942

IMPORTANT

Official notice of proposed By-Law amendments appears on page 189. Due to paper shortage we will not this year separately mimeograph these proposals for mail distribution. THIS IS OFFICIAL NOTICE.

CONVENTION PLANS

The Twentieth Annual NAB Convention is now only five weeks away. Plans for general sessions, group meetings, exhibits and promotional display are rapidly coming to a climax.

John Patt, WGAR, Chairman of the Housing Committee, reports that reservations for hotel accommodations are rolling in at a rapid pace. In fact all of the parlor and bedroom suites at the Statler Hotel have been absorbed and there are demands for yet more. He asks that broadcasters be advised that other hotels such as the Carter, Cleveland, and Hollenden, located conveniently to the Statler, have comparable suites to those at the Statler. In sending in requests for reservations, applicants are urged to indicate a second and third choice hotel if they desire suite accommodations. There are of course many comfortable bedroom accommodations yet available at the Statler.

M. F. "Chick" Allison, WLW, Chairman of the Promotional Display Committee has prepared a complete outline of the promotional display plans. There will be a total of 9 trophies awarded. A complete announcement of the plan will be mailed to all broadcasters early next week.

To facilitate registration a pre-registration blank will go out to all radio stations within the next few days. This will make possible the completion of registration merely by paying the registration fee upon arrival in Cleveland.

Every indication points to the fact that this Twentieth Annual Convention is going to be a highly interesting session. The main theme will be radio and the war with business and luncheon programs featuring men who have messages of deep interest to broadcasters. These program plans are progressing rapidly and an announcement of the tentative schedule will be made at an early date.

While the war theme will dominate, problems of direct importance to the various phases of broadcasting will not be forgotten. The Sales Managers Executive Committee is preparing a most interesting series of group meetings and their portion of the general session will be outstanding. Many other industry matters will be scheduled for discussion at breakfast roundtables and group meetings, to be held at other times. There will be features of direct interest to news men, program directors, and foreign language broadcasters, directors of women's activities as well as sales managers and engineers. Broadcasters interested in keeping abreast of developments can't afford to miss this 1942, Twentieth Annual Convention.

Perhaps a word of warning regarding hotel reservations is advisable. The Housing Committee gives priority to applications from NAB members up to April 11 only. After that reservations are handled in the order of their receipt. To assure yourself accommodations of the type desired, get your reservations in early. Address communications directly to the hotel in which you want a reservation or better still to the NAB Housing Committee, 1604 Terminal Tower, Cleveland, Ohio.

EXECUTIVE COMMITTEE

The NAB Executive Committee will meet Tuesday, April 7, at the Roosevelt Hotel, New York, to consider the Sanders bill and NAB convention plans. Hearings on the Sanders bill start April 14 before the House Interstate Commerce Committee.

DISTRICT 2

Broadcasters of District 2 (New York and New Jersey) will meet at the Roosevelt Hotel, New York City, Friday, April 10, at 10 a. m. to elect a director and to consider matters of importance to the district and the industry. Clarence Wheeler, WHEC, is district director.

DCB COMMITTEE IV

The Domestic Broadcasting Committee (Committee IV) of the Defense Communications Board will meet April 8 in Washington. Neville Miller is chairman.

OFF MEETING

The OFF Station Advisory Committee and the Network-Advertising Council Radio Idea Committee will meet in Washington on April 9 to consider ways further to improve radio's cooperation with the war effort.

PEABODY DINNER

A large turn-out of broadcasters and their friends is expected for the George Foster Peabody Radio Awards Dinner on the Starlight Roof of the Waldorf-Astoria, New York City, Friday evening, April 10. Tickets are available at the NAB at $5 a plate. The dinner is sponsored by the New York Alumni Society of the University of Georgia.

Sales

To Get Fur Storage Business

How radio stations can develop more fur storage business this summer is suggested by Ken Marsh, commercial manager of WJHL, Johnson City, Tenn. He reports:

"We have sold a local department store a campaign on fur storage, whereby the department store solicits storage of furs and

(Continued on page 186)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

SALES

(Continued from page 185)

in turn places the furs with some large storage company for handling.

"The Citizens Fur Service, Inc., of Buffalo, N. Y., will participate to the extent of 50 per cent of the radio advertising costs with any department store whose business they handle. I felt that this might be an item that would open up some business for other radio stations, particularly when the department store can get half of the cost back."

Peanut Council Wants to Be Shown

Broadcasters who hold that "they won't buy it if you give it away" scored a point last week when it developed that the National Peanut Council, of Atlanta, Ga., reported here March 20 as seeking free time for peanut copy, has indicated that it will try to do its job on the basis of free radio publicity if possible, and if unsuccessful, will then consider an advertising appropriation.

As customary, the NAB Department of Broadcasting wrote the Council, outlining the industry attitude on such matters. John Outler, WSB, member of the NAB Sales Managers Executive Committee, followed up personally in Atlanta, and reports:

"The National Peanut Council, with headquarters here, is seeking ways and means to obtain publicity for their work—without the benefit of any advertising appropriation. They think they are doing a great work and, in the light of the present emergencies, they consider it a sacred trust to apprise the great American public of the calorific and dietetic advantages in eating peanuts.

"They had made contact with this station along these lines prior to the receipt of your letter and I had explained to Mr. Jester the circumstances and the probable attitude of the better stations throughout the country. On the strengh of your letter, however, I made further contact with him and believe I got home the point that the results obtained from his method of circularizing the radio industry would not justify the postage, printing and handling of the copy. His present attitude, however, is that this is a point to be proved. So the inclusion of the information in NAB Reports is quite in order.

"The appropriation of any money for radio or other media will have to be made by the Council, and on the basis of information. Therefore, this looks like a continuing job and something may come of it. Certainly, we have an open-minded gentleman in Mr. Jester on whom to work."

These peanut scripts have been sent to program directors and conductors of women's programs. If radio stations will second the NAB's invitation to the Peanut Council to use radio advertising on the basis of established rates, an appropriation may be forthcoming.

Radio Training Courses

During the week a considerable number of students enrolled in the radio technician training program have enlisted in the Army Enlisted Reserve Corps.

Under this enlistment procedure these men continue working at their present occupations until they have completed Part I and II of the 32-week radio course.

Most of those who have enlisted so far are 1-A selective service men; but others can be expected to see the advantages of serving in the fighting forces in such an important capacity as communications.

When all of the present classes have been canvassed for enlistment in the Reserve Corps, the Signal Corps will be ready for a campaign over broadcast stations to increase the numbers under training.

No assistance from the industry is required at this writing.

On April 2, Arthur Stringer, secretary, WAR Committee, was asked by the Chief Signal Officer to extend to each of the broadcasters concerned, his appreciation and thanks for their valued cooperation. He expressed his desire, also, that the coordinated efforts of all concerned may continue in the future. This letter will be sent all stations later in compliance with his request.

If knowledge of the Enlisted Reserve Corps has not yet sifted down to enlistment personnel in your area, advise 1-A students of these courses to enlist in Washington by writing immediately and directly to:

Chief Signal Officer
Military Personnel Division
U. S. Army Signal Corps
Washington, D. C.

Three Richmond Classes

Three radio technician training courses with a total attendance of 78 students are meeting regularly in Richmond, Va., according to C. T. Lucy, industry representative for the state and General Manager of WRVA. The education institution involved in these courses is the University of Richmond, of which George M. Modlin is ESMDT Director.

Two University of Richmond professors, Dr. C. L. Albright and Professor R. E. Alley, and W. R. Selden, Radio Station WRNL, Richmond, comprise the faculty.

Rockford Has 3 Classes

Three radio technician training courses are in operation in Rockford, Ill., under the direction of H. C. Roundtree, Supervisor of Engineering Extension, University of Illinois.

Each class has 28 students. Two WROK engineers, Chief Thomas C. Cameron and Maurice Nelson, are teaching two of the classes.

531 Sou. Cal. Students

Professor R. W. Sorensen, California Institute of Technology, Pasadena, and Southern California Coordinator, ESMDT-NAB radio courses, reports that 531 students are already enrolled. Seven sections are held in Los Angeles, including one at CBS headquarters. Others are held in Glendale, Pasadena, San Bernardino and Whittier.

Arkansas Courses Started

Radio technician training courses in Arkansas are in session in:

Conway
Pine Bluff
Little Rock
Siloam Springs
Fayetteville
Helena
El Dorado

Additional courses are expected to begin within a few weeks in Jonesboro, Fort Smith, Little Rock and Siloam Springs. This latter course will be Part II of the technician training course of 32 weeks.

Among the instructors are the following radio engineers:

John L. Thompson, radio station KOTN; Harrison C. Mondy, radio station KLRA; Hugh Lineback, radio station KUOA; Jewell Warren, radio station KFFA; and Ewing Canaday, radio station KELD.

Other instructors are Dr. E. E. Cordrey, State Teachers College, Conway, and P. K. Hudson, University of Arkansas, Fayetteville.

West Virginia Going Strong

State Coordinator R. P. Davis, Dean of Engineering, West Virginia University, Morgantown, reports that radio technician training courses are in progress in:

Beckley
Bluefield
Charleston
Clarksburg
Fairmont
Huntington
Logan
Morgantown
Parkersburg
Welch
Wheeling
Montgomery

Total enrollment for these classes is 408.

A future course under the direction of West Virginia University is planned for Marietta, Ohio.

The following radio engineers are among the instructors:

A. J. Ginkel, radio station WJLS; P. T. Flanagan, radio station WHIS; Odes Walker, radio station WCHS; Conrad S. Clemans, radio station WBLK; John L. Yarnes, radio station WLOL; W. A. Sodaro, radio station WPAR; Louis Tulchin, radio station WBRW; and Glenn G. Boundy, radio station WWVA.

G. C. Blackwell is ESMDT Director for West Virginia University.

Labor

A. F. of M. Trouble

Station WSIX, Nashville, was cut off the Mutual network Wednesday, April 1, when the American Federation of Musicians threatened to strike all MBS sustaining programs. The station and the Nashville local of the A. F. of M. have been unable to come to terms on the local's demand for increased employment at the station.

A. F. of L. Turns to Radio

The American Federation of Labor announces it has given up trying to get a fair deal from the daily press and, in the future, will utilize radio, the labor press and pamphlets to tell labor's story.

Labor Board Case

Hearst Radio, Inc., has entered into a stipulation with the National Labor Relations Board to settle a complaint of Wagner Act violation at Station WBAL. The charges had been brought by the American Communications Association (C. I. O.).

Women Operators

The International Brotherhood of Electrical Workers, the A. F. of L. technicians' union, is trying to work out some sort of a system to permit employment of women as control operators for the duration of the war. An early announcement can be expected. The number of women to be employed, their initiation fees and dues and their pay scale are problems involved.

TIRE RATIONING

The new Tire Rationing Regulations of February 19 make no provision for allocation of inner tubes to Class B users (which includes radio). Steps have already been taken to secure a quota of tubes from WPB for List B users, and the regulations themselves will have to be amended accordingly. It is anticipated that by the middle of April Local Rationing Boards will have been notified of the amendment and the quotas made available. Meanwhile, used inner tubes are the only answer.

War Programs

Spring Cleaning Offensive

The War Production Board has a suggestion for housewives at spring housecleaning time. The idea is to increase the supply of scrap materials vital to success in this war. WPB hopes that stations will make use of these announcements as time permits.

(1)

Clean out your attic to clean up the axis! Spring cleaning this year is important, vital, and patriotic. . . . Clean out those hidden weapons in your home. . . . Just old paper, old rubber, old metal when you sell 'em to the junk man, but after a little while: paper cartons to carry cartridges to lick the Germans! Rubber de-icers for high-flying planes! Scrap metal in the steel of a great gun barrel! . . . Make your Spring cleaning a Spring offensive! . . . This is an official announcement from the War Production Board.

(2)

Recipe for a Blitzkreig: Take one broom, one dust cloth, one determined soul, a sturdy back and good disposition. . . . Ascend to the attic, or go down to the cellar—Clean them out! . . . Stack old paper carefully and tie it, fill a carton with old rubber, salvage old metal. Call your junkman and start this waste—that isn't waste at all—on its way to reclamation for war! . . . One ton of old paper will make 36,000 practice targets . . . 29 pounds of old rubber will make a life raft for a navy plane . . . 12 pounds of scrap metal is half the steel needed for a machine gun! . . . Sweep out the Germans, dust off the Japs! Clean house this Spring for Victory! This is an official announcement from the War Production Board.

(3)

Ladies, make your spring cleaning a spring offensive! Go after those old papers, broken tools, discarded rubber tires and tubes in the attic, the cellar, the garage. Sell them to a junkman as scrap to be reclaimed for war. . . . The waste paper you keep from being wasted can make the blueprint for a ship to sail the Pacific against the Rising Sun! The old metal you salvage will run an open hearth furnace the few "more minutes" necessary to make steel for that last important bolt in a tank. The torn hot water bottle and worn rubber heels you unearth may go into the self-sealing lining of a gas tank in a plane over Tokyo! . . . Come on, ladies, Spring cleaning with a new incentive—Kill Two Japs with One Broom! . . . This is an official announcement from the War Production Board.

INVASION DATES

Here is a list of the principal invasion dates which can be used in program building. Native music and a promise that the Yanks are coming might be used to advantage. The list furnished by OFF:

Norway	April 9, 1940
France	May 17, 1940
Holland	May 10, 1940
Belgium	May 10, 1940
Poland	Sept. 1, 1939
Czeckoslovakia	Oct. 1, 1938
Yugoslavia	April 6, 1941
Greece	Oct. 28, 1940
Luxemburg	May 10, 1940
Manchukuo	Sept. 18, 1931
Albania	April 7, 1939

CARE OF HOME RECEIVERS

With the supply of new receiving sets gradually disappearing, here's some material from the Consumer Division of OPA which might be made into a worth-while program or series of announcements:

Make sure that the radio is not placed with its back flat against the wall. Tubes, transformers, and resisters heat up, and free circulation of air is required to prevent overheating. Leave an inch or so between the cabinet and wall.

Check the set's electric cord and plug. The plug should fit firmly into the wall socket and the wires leading to it should be intact.

Check connections also on nearby electrical appliances and lamps. Loose connections on nearby gadgets cause static. Sometimes moving a nearby appliance or lamp farther away will help reception.

If the radio crackles, check the aerial and ground wires to determine whether they are broken in any place or are rubbing against other wires or trees or metals.

If you have not set up a ground connection and your radio is raucous, fix one up by connecting a wire from your radio's ground post to a water or steam pipe. Do not use your gas pipe as a ground.

If you have an outside aerial, make sure that it is equipped with a lightning arrester. Even small "static discharges"—not lightning—may ruin a set unless they are by-passed by the arrester.

Check the set's tubes, to see that they fit firmly in their sockets. Occasionally what may seem to be a bad tube is merely a good tube that is fitted loosely into its socket.

Clean the dust out of your set often. A hand vacuum cleaner will help.

If your radio's performance is unsatisfactory and none of these home adjustments help, it's time to call in the repairman.

These points should be observed:

Call in a repairman from a reputable firm—one with which you are acquainted, if possible.

Insist that he fix the set at your home. Most service firms have portable testing and repair equipment for home calls.

If he insists on carrying the set to the shop, persuade him to give you an inventory of the adjustments he thinks will be necessary, and request the return of old parts which he finds necessary to replace.

NAVY RELIEF CHAIRMEN

The National Citizens Committee of the Navy Relief Society is rapidly completing state organization work. Appearing below is the list of State Chairmen so far appointed.

Navy Relief for the first time in its 40-year history is appealing to the public for funds in the amount of $5,000,000. Some few states are already engaged in solicitations.

It is suggested that broadcasters contact State Chairmen on receipt rather than wait for these volunteers to get in touch with them. Advantages are two-fold: (1) It will spur State Chairmen to put extra effort behind their objective; and (2) It will get this campaign to its successful conclusion in a shorter period of time.

It is recommended that any local radio campaign to help be not started until working committees are set. The objective of this campaign is to get $5,000,000. Do not waste ammunition until the committee is able to take full advantage of your help. Here are State Chairmen so far announced:

Guy P. Gannett, President
Gannett Publishing Company, Inc.
177 Federal Street
Portland, Me.

Frederic C. Church, Jr.
Boit, Dalton & Church
89 Broad street
Boston, Mass.

Hon. Francis P. Murphy
88 Concord Street
Nashau, N. H.

William S. Innis, Vice-President
Rhode Island Hospital National Bank
15 Westminster Street
Providence, R. I.

Eugene W. Magnus
9 Randall Street
Waterbury, Vt.

Walter E. Batterson
240 Kenyon Street
Hartford, Conn.

Hon. Samuel L. Slover
Chairman of Board
Norfolk Newspapers
119 Plume Street
Norfolk, Va.

Arch Louis Metzner, Treasurer
Hazel-Atlas Company
Wheeling, W. Va.

Mills B. Lane, Jr.
Executive Vice-President
Citizens & Southern National Bank
Atlanta, Ga.

Dr. Frederick M. Hanes
Campus Road
Durham, N. C.

Robert M. Green, Vice-Pres.
Prudential Life Insurance Co. of America
Prudential Life Building
Newark, N. J.

Jerome D. Barnum, Publisher
Herald Building
Syracuse, N. Y.

Frank E. Gannett, President
Gannett Publications
Times Union Building
Rochester, N. Y.

F. M. Donahue, Vice-President
Wilmington Trust Co.
10th & Market Streets
Wilmington, Del.

George H. Pabst, Jr., Vice-President
Pennsylvania Railroad Company
Broad Street Station
Philadelphia, Penn.

Alester G. Furman, Jr.
Alester G. Furman Company
Woodside Building
Greenville, S. C.

Christie Benet
Columbia, S. C.

James R. Stockton, Pres.
Telfair, Stockton & Company
Graham Building
Jacksonville, Fla.

Edward A. Roberts, Pres.
Waterman Steamship Corporation
Merchants National Bank Building
Mobile, Ala.

Edward Wright
Busby, Harrison & Wright, esqs.
Little Rock, Ark.

Garner H. Tullis
Tullis, Craig Company
204 Marine Building
New Orleans, La.

Rex I. Brown, President
Mississippi Power & Light Co.
Jackson, Miss.

Neal Barrett, Chairman
Navy Relief Society
Oklahoma Citizens Committee
919 Braniff Building
Oklahoma City, Okla.

Gardner Cowles, Jr., Editor
Register & Tribune Co.
715 Locust Street
Des Moines, Ia.

George H. Hamilton, Vice-President
Fourth National Bank
Wichita, Kansas

Millard Cox
1022 Kentucky Home Life Building
Louisville, Ky.

Wendell W. Anderson
4072 Penobscot Building
Detroit, Mich.

J. Cameron Thomson, President
Northwest Bank Corporation
Northwestern Bank Building
Minneapolis, Minn.

Chapin S. Newhard
Newhard, Cook & Co.
400 Olive Street
St. Louis, Mo.

Judge W. C. Brader
Insurance Building
Omaha, Neb.

Fred A. Irish, President
First National Bank
Fargo, N. D.

Harvery Chase Jewett, Jr., President
Jewett Drug Co.
Aberdeen, S. D.

Hon. Gerald Mann
Attorney General of State
Austin, Texas

W. Ledyard Mitchell, Vice-President
Chrysler Corporation
Detroit, Mich.

Walter R. Bimson, President
Valley National Bank
Phoenix, Ariz.

Preston Hotchkis
Executive Vice-President
Pacific Indemnity Co.
Pacific Finance Building
Los Angeles, Cal.

Frank Rand, Jr.
Santa Fe, N. M.

Richard M. Tobin, President (also City Chairman)
Hibernia Savings & Loan Society
Market, McAllister & Jones Sts.
San Francisco, Cal.

Frank A. Kemp, President
Great Western Sugar Company
Denver, Colo.

Walter J. Walsh, President
Navy League of the U. S.
828 Monadnock Building
San Francisco, Cal.

W. W. Hopper, President
First National Bank of Nevada
Reno, Nevada

John M. Wallace, Vice-President
Walker Bank & Trust Co.
173 South Main Street
Salt Lake City, Utah

Carl Brown
McCall, Idaho

George J. Greenwood
Bank of California
Portland, Oregon

Howard Paulsen
Paulsen Building
Spokane, Wash.

Charles F. Frankland, Vice-President
Pacific National Bank
Seattle, Wash.

Sec. Knox's Statement

At the Navy Relief Dinner in New York, February 24, Secretary Knox said:

"I believe that there are countless numbers of us in this country who will be glad to share, through the Navy Relief Society, in watching over the welfare of those you (Navy personnel) have had to leave behind you. It will be an honor for us to stand as their security while you are far away, fighting our common battle."

USO CAMPAIGN COMMITTEE

Neville Miller has asked the following broadcasters to serve with him on the National Radio Committee for the USO War Fund Campaign:

Burridge Butler, WLS, Chicago, Ill.
Martin Campbell, WFAA, Dallas, Tex.
Leo Fitzpatrick, WJR, Detroit, Mich.
Clarence T. Hagman, WTCN, Minneapolis, Minn.
Roy Harlow, Yankee Network, Boston, Mass.
Howard Lane, McClatchy Group, Sacramento, Calif.
Joseph O. Maland, WHO, Des Moines, Iowa.
Clair McCollough, WGAL, Lancaster, Pa.
A. J. McCosker, President, Mutual Broadcasting System.
William S. Paley, President, Columbia Broadcasting System.
Eugene Pulliam, WIRE, Indianapolis, Ind.
Harry Spence, KXRO, Aberdeen, Wash.
George Storer, WSPD, Toledo, Ohio.
Niles Trammell, President, National Broadcasting Company.
Leo Wailes, KYW, Philadelphia, Pa.
Lewis Allen Weiss, Don Lee Network, Los Angeles, Calif.
Mark Woods, President, Blue Network Company, Inc.

PROPOSED AMENDMENTS TO BY-LAWS

Thirteen proposals to amend the By-Laws of the NAB are hereby officially submitted. Article XIII of the NAB By-Laws require that proposed changes "shall be submitted by mail to the last recorded address of each member at least thirty days before the time of the meeting which is to consider the change."

The meeting to consider these proposed changes is the Twentieth Annual Convention to be held at Cleveland, May 11 to 14, inclusive. This is, therefore, your official notice of the following proposed amendments.

BY THE BOARD OF DIRECTORS:

Amend Article III, Section 2, to read as follows:

"Section 2. ACTIVE MEMBERS. Any individual, firm or corporation engaged in the operation of a radio broadcasting station *or a national network* within the United States or its dependencies shall be eligible to Active Membership in the Association to the extent of one membership for each radio broadcasting station *and each national network* which it operates. The term 'radio broadcasting' as used herein is defined as the free dissemination to the general public, by means of electro-magnetic waves, of intelligence and entertainment appealing either to the aural or visual senses or both."

Amend Article VII, Section 2, to read as follows:

"Section 2. CLASSIFICATION OF DIRECTORS. There shall be one Director from each District, referred to hereinafter for purposes of convenience as District Directors. There shall be six additional Directors, referred to hereinafter for purposes of convenience as Directors-at-Large, two of whom shall be representative of large stations, two of whom shall be representative of medium stations, and two of whom shall be representative of small stations, operating power to govern these classifications. *In addition to the above Directors, there shall be Directors, referred to hereinafter for purposes of convenience as Network Directors. Each national network holding active membership in the Association shall be entitled to be represented by one Network Director.*"

Amend Article X by striking out Section 1 thereof and renumbering the remaining sections consecutively from 1 to 5.

Amend Article III, Section 5, to read as follows:

"Section 5. VOTING. Each individual, firm or corporation admitted to Active Membership in the Association *and whose dues are not more than one month in arrears* shall appoint and certify to the Secretary-Treasurer of the Association the owner, a partner, an officer, or an agent, who shall be actively engaged in the business of such member to be its representative in the Association and who shall represent, vote and act for the member in all the affairs of the Association, including the holding of office therein. There shall be one vote for each active membership."

Amend Article IV, Section 1, by striking out the last line thereof and adding the following:

Class	*Range of Income*	*Monthly Dues*
Q	2,000,001- 4,000,000	$ 500
R	4,000,001- 6,000,000	750
S	6,000,001- 8,000,000	1,000
T	8,000,001-10,000,000	1,250
U	10,000,001-12,000,000	1,500
V	12,000,001-16,000,000	2,000
W	16,000,001-20,000,000	2,500
X	Over 20,000,000	3,000

Amend Article IV by inserting after Section 1 the following new Section 1A:

"Section 1A. Effective January 1, 1942, active members whose stations are located in the territories or insular possessions of the United States shall for the duration of the war pay dues upon the basis of fifty per cent of the dues provided in Section 1 of this Article."

BY JOHN SHEPARD, 3RD, THE YANKEE NETWORK, INC.

Article V, Section 1 (A) shall be amended by deleting the words "Network Directors" so that said paragraph as amended shall read as follows:

"(A) A stated or annual meeting of the members shall be held in each year at such place as is determined by the members at their previous annual meeting and at such time as is determined by the Board of Directors. At such meeting Directors-at-Large shall be nominated and shall be elected by the members by vote in an open session thereof to succeed such directors whose terms then expire. At such meeting there shall likewise be transacted any other business that may be then properly and legally presented."

Article VII, Section 1, shall be amended by striking out the words "twenty-six" and inserting in lieu thereof the words "twenty-three" and by striking out the period at the end of the first sentence and inserting in lieu thereof a semi-colon and by adding the following language to said section: "Provided, however, that no officer or employee of a national network company shall be eligible to become a director-at-large on the Board of Directors of the Association" so that the section as amended shall read as follows:

"Section 1. NUMBER. The business and affairs of the Association shall be managed by and under the direction of a Board of Directors of twenty-three members, to be selected as hereinafter provided, each of whom shall be an Active Member of the Association or a representative actually engaged in the business of an Active Member; provided, however, that no officer or employee of a national network company shall be eligible to become a director-at-large on the Board of Directors of the Association."

Article VII, Section 2, shall be amended by striking therefrom the following language: "There shall be three additional Directors, referred to hereinafter for purposes of convenience as Network Directors, one of whom shall be representative of Columbia Broadcasting System, Inc., one of whom shall be representative of Mutual Broadcasting System, Inc., and one of whom shall be representative of National Broadcasting Company, Inc.," so that the section as amended will read as follows:

"Section 2. CLASSIFICATION OF DIRECTORS. There shall be one Director from each District, referred to hereinafter for purposes of convenience as District Directors. There shall be six additional Directors, referred to hereinafter for purposes of convenience as Directors-at-Large, two of whom shall be representative of large stations, two of whom shall be representative of medium stations, and two of whom shall be representative of small stations, operating power to govern these classifications."

Article VII, Section 4, shall be amended by striking from the title "and Network Directors" and by striking therefrom the following language: "During the morning session of the second day of the annual meeting, each of the said respective networks shall certify to the President its nominee or nominees for Network Director, as defined in Section 2 above, whereupon such nominees shall be deemed to have been placed in nomination, and shall be so reported to the members during that session" so that the section as amended shall read as follows:

"Section 4. NOMINATION OF DIRECTORS-AT-LARGE. Nominations for each of the six Directors-at-Large, as defined in Section 2 above, shall be made from the floor at a business session of the annual meeting. Nomination speeches for any nominee shall not succeed in the aggregate one minute's duration. Nominations of any classification shall be closed when nominees of that classification total thirty. All names shall be posted as nominated."

Article VII, Section 5, shall be amended by striking the words "and Network Directors" from the title, by striking the words "and Network Directors" from the first sentence of said section and by striking all of paragraph (E) of said section and inserting in lieu thereof the following:

"(E) The Elections Committee shall prepare ballots in blank and in coupon booklet form with not less than three ballots in each coupon book. Ballot number one shall be used to vote for not more than four nominees in each classification for Directors-at-Large. Ballot number two may be used by writing thereon the names of the first, second and third preference of cities for the next annual meeting; provided, however, that the use of Ballot number two may be waived at the discretion of the Chairman of the Elections Committee and a voice or standing vote substituted. Ballot number three shall be used to vote for two nominees for Director-at-Large in each classification as outlined in Section 2 above; provided, however, that no ballot shall be cast for more than one nominee of the two nominees in each classification receiving the highest number of votes on Ballot number one; and provided, further, that no ballot shall be cast for more than one nominee of the two nominees in each classification receiving the lowest number of votes on Ballot number one."

Article VII, Section 6, shall be amended by striking out the words "and Network Directors" from the first sentence of such section so that the section as amended shall read as follows:

"Section 6. TENURE. All Directors-at-Large shall be elected to hold office until the conclusion of the membership meeting to be held next after their election. District Directors shall assume office at the first meeting of the Board of Directors following the meeting of the membership held after their election and shall hold office until the close of the second annual meeting after assuming office; provided: that District Directors elected at the 1938 annual membership meeting by District 1, District 3, District 5, District 7, District 9, District 11, District 13, District 15 and District 17, shall serve until the close of the 1939 membership meeting, and that District Directors elected at the 1938 annual membership meeting by District 2, District 4, District 6, District 8, District 10, District 12, District 14, and District 16, shall serve until the close of the 1940 membership meeting."

BY HUGH A. L. HALFF, WOAI, SOUTHLAND INDUSTRIES, INC.

Amend Article IV, Section 1, by striking out the second sentence thereof and inserting in lieu thereof the following new sentence:

"Net receipts from the sale of time are defined as billings based on gross rate for broadcasting service less time and advertising agency discounts, if any, and sales commission up to 15% if actually paid, and including billings to networks," so that Section 1 of Article IV, as amended, shall read as follows:

"Section 1. Effective January 1, 1943, each active member shall pay dues on net receipts from the sale of time received during the previous calendar year. Net receipts from the sale of time are defined as billings based on gross rate for broadcasting service less time and advertising agency discounts, if any, and sales commission up to 15% if actually paid, and including billings to networks. No member shall be required to state its actual volume but to name annually to the Secretary-Treasurer on his call the class into which its volume falls. It is understood that each Active Member is in honor bound not to name a smaller classification than that into which its volume actually falls. The annual dues, payable monthly in advance, shall be as follows:

Class	*Range of Income*	*Monthly Dues*
A	0- 15,000	$ 5.00
B	15,001- 36,000	10.00
C	36,001- 60,000	15.00
D	60,001- 80,000	20.00
E	80,001- 120,000	30.00
F	120,001- 160,000	40.00
G	160,001- 200,000	50.00
H	200,001- 300,000	75.00
I	300,001- 400,000	100.00
J	400,001- 500,000	125.00
K	500,001- 600,000	150.00
L	600,001- 700,000	175.00
M	700,001- 800,000	200.00
N	800,001- 900,000	225.00
O	900,001-1,000,000	250.00
P	1,000,001-2,000,000	400.00
Q	Over 2,000,000	500.00

RADIO HOMES IN 30 STATES AND DISTRICT OF COLUMBIA
ESTIMATED FROM PRELIMINARY 1940 CENSUS OF HOUSING DATA

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings Having Radios—Urban, Rural-Nonfarm and Rural-farm: 1940*

	ALL UNITS			URBAN UNITS			RURAL-NONFARM UNITS			RURAL-FARM UNITS		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
NEW ENGLAND												
Maine	218,968	86.5	189,321	88,406	93.2	82,387	90,186	84.0	75,772	40,376	77.2	31,162
New Hampshire	132,936	90.0	119,664	75,355	93.3	70,288	41,550	86.9	36,087	16,031	82.9	13,289
Vermont	92,435	88.6	81,905	32,465	95.5	31,022	35,164	87.6	30,806	24,806	80.9	20,077
Rhode Island	187,706	95.7	179,652	171,236	96.1	164,515	13,860	92.6	12,836	2,610	88.2	2,301
Connecticut	448,682	95.7	429,236	304,364	96.4	293,304	120,205	95.3	114,596	24,113	88.5	21,336
WEST NORTH CENTRAL												
Iowa	701,824	90.2	633,180	312,393	93.7	292,735	161,077	87.6	141,059	228,354	87.3	199,386
North Dakota	152,043	88.4	134,422	34,069	94.6	32,244	47,024	85.7	40,290	70,950	87.2	61,888
South Dakota	165,428	84.6	139,883	43,558	92.5	40,298	49,548	81.8	40,508	72,322	81.7	59,077
Nebraska	360,744	84.7	305,660	146,259	92.7	135,613	89,390	82.9	74,069	125,095	76.7	95,978
Kansas	511,109	83.0	424,396	224,314	90.4	202,759	128,059	82.4	105,543	158,736	73.2	116,094
SOUTH ATLANTIC												
Delaware	70,541	87.0	61,380	37,070	92.3	34,218	21,830	86.5	18,887	11,641	71.1	8,275
District of Columbia	173,445	93.7	162,446	173,445	93.7	162,446	....	....	....	....	....	....
Virginia	627,532	67.1	421,148	244,105	84.0	205,164	174,219	67.6	117,805	209,208	46.9	98,179
West Virginia	444,815	75.1	334,267	140,556	89.7	126,104	192,771	75.4	145,275	111,488	56.4	62,888
North Carolina	789,659	61.8	487,581	239,917	77.7	186,432	217,703	67.6	147,163	332,039	46.4	153,986
South Carolina	434,968	49.6	215,740	123,503	67.1	82,820	126,119	60.0	75,624	185,346	30.9	57,296
Florida	519,887	64.8	336,791	294,410	76.1	224,032	152,395	55.1	83,967	73,082	39.4	28,792
EAST SOUTH CENTRAL												
Alabama	673,815	49.4	333,229	227,309	69.7	158,425	157,226	54.5	85,709	289,280	30.8	89,095
Mississippi	534,956	39.9	213,353	120,360	61.5	73,985	95,920	50.9	48,820	318,676	28.4	90,548
WEST SOUTH CENTRAL												
Arkansas	495,825	50.9	252,266	123,528	72.4	89,463	111,636	53.7	59,909	260,661	39.5	102,894
Louisiana	592,528	53.3	315,292	262,927	72.6	190,830	136,615	52.5	71,688	192,986	27.3	52,774
Oklahoma	610,481	68.8	420,253	254,779	83.5	212,620	139,605	64.6	90,143	216,097	54.4	117,490
MOUNTAIN												
Montana	159,936	86.2	137,899	64,148	91.3	58,545	49,737	84.4	41,985	46,078	81.1	37,369
Idaho	141,727	86.4	122,474	50,774	91.3	46,358	41,235	84.1	34,686	49,718	83.3	41,430
Wyoming	69,374	84.4	58,531	27,332	91.5	25,003	22,842	83.2	19,011	19,200	75.7	14,517
Colorado	316,000	84.5	267,280	174,759	91.5	159,904	77,956	78.1	60,873	63,285	73.5	46,503
New Mexico	129,475	53.2	68,950	46,713	72.5	33,878	43,097	47.6	20,508	39,665	36.7	14,564
Arizona	131,133	69.0	90,408	48,924	82.4	40,323	55,813	69.3	38,652	26,396	43.3	11,433
Utah	139,487	92.4	128,944	81,758	95.0	77,678	37,115	90.2	33,468	20,614	86.3	17,798
Nevada	33,291	81.4	27,119	13,284	89.2	11,859	15,795	77.4	12,227	4,212	72.0	3,033
PACIFIC												
Oregon	337,492	88.7	299,255	172,560	93.1	160,604	92,667	86.1	79,824	72,265	81.4	58,827

* *Source:* Figures of the number of Occupied Dwelling Units and Percent Radio Equipped, published by the U. S. Bureau of the Census in a special release of preliminary figures April 2, 1942. Figures of the number of Radio Equipped Occupied Dwelling Units calculated by the NAB Research Department to project total figures. Census figures do not include 297,369 families in the above states which did not answer the radio question. These figures represent preliminary estimates and will be corrected as final census figures are released.

"THIS IS WAR" PROMOTION

James M. LeGate, General Manager, WHIO, Dayton, puts extra promotion behind This Is War. Each week the program is promoted with special announcements over WHIO and in two-column adds in the Dayton Daily News.

Simon Goldman, Manager, WJTN, Jamestown, has received complete cooperation of the Jamestown public school system in the promotion of radio programs relating to the war effort. Every grade school, junior and senior high school in the city displays the This Is War placard furnished by OFF.

Clinton V. Bush, superintendent of public schools, has also made it possible to distribute a list and time schedule of the war effort programs and the suggestion is made that the students urge their parents to listen along with them.

FEDERAL COMMUNICATIONS COMMISSION

FLY SPEAKS IN BOSTON

Chairman James Lawrence Fly of the FCC made the following remarks at the inauguration of Westinghouse FM Station W67B in Boston on March 29:

It gives me real satisfaction to add a word of greeting at this time to the many others which you are undoubtedly receiving today, as you introduce your new Frequency Modulation station, W67B, to the public of Boston. Operation of W67B represents an additional service which is now available to the people of the Boston area.

Frequency Modulation is an engineering development which represents an important advance in the science of broadcasting. As this new broadcasting technique develops, listeners all over the country will become more fully aware of the refinements which it offers them. Its full tonal range makes possible lifelike rendition of sound, and its freedom from static and common sources of interference adds to the pleasure the listener experiences in receiving frequency modulation broadcasts in his home.

Today, FM, as this type of broadcasting is commonly known, has an unusually timely mission in that each new station presenting a new program service to the people of this country, enlarges the reservoir on which our nation at war may draw for information and entertainment.

Radio broadcasting is threading its way through its first war. No signposts, no precedents, nor helpful experiences from other wars are standing as guides to the future—hence—radio's area of service in this World War is unexplored. Its course is fraught with many difficulties, trials and dangers and, therefore, the steadiest hand and the coolest eye must be at the helm as the course is charted and pursued.

The importance of broadcasting in this war is tremendous. Broadcasters are custodians of what is potentially the most powerful weapon in the world. From every side comes definite proof that radio is accepting the challenge presented by the present situation in a most satisfactory manner. As we traverse this period of our greatest national peril, it is paramount that radio broadcasters act with speed and courage to win its objective, which is to operate in the public interest, convenience and necessity. Only by clearly defining its responsibilities and then bending every effort to live up to them, can radio help the nation achieve the final certain victory.

I congratulate the owners of this new Westinghouse FM station, W67B, and I express the confident belief that it will faithfully fullfil its great opportunity for service during these war days and progressively during the years after the final victory has been won.

FCC SURVEY

The FCC, in cooperation with the OCD, is making a comprehensive protection survey of selected non-government commercial communication facilities essential to National Defense from damage by sabotage or as a result of subversive activities. This is one phase of the general study being conducted by the Office of Civilian Defense in regard to the protection of all strategic places vitally essential to National Defense. As one step in this program, the Commission has effected plans to proceed with an immediate protection survey of certain broadcast stations with the object of obtaining facts as to the protection now afforded.

E. M. Webster, Assistant Chief Engineer of the Commission, has been directed to assume charge of this work on behalf of the Commission. He will consult with the appropriate representatives of your company, from time to time when necessary, for the purpose of making detailed arrangements in regard to the survey.

Commission Radio Inspectors, acting under appropriate instructions from the Commission have been designated to proceed with the inspection of certain broadcast station facilities. The cooperation of your company is solicited in conducting this survey. It is requested that you designate a person in your organization to assist the Commission's representative in collecting the information desired.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 6. They are subject to change.

Monday, April 6

NEW—S. Brad Hunt, Alton, Ill.—C. P., **1030 kc.,** 1 KW, daytime.

Further Hearing

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—C. P., **1070 kc.,** 50 KW, unlimited, DA-night.

Tuesday, April 7

Further Hearing

NEW—Newark Broadcasting Corporation, Newark, N. J.—C. P., **620 kc.,** 5 KW, unlimited, DA-night and day.

Wednesday, April 8

Further Consolidated Hearing

NEW—Hennessy Broadcasting Company, Butte, Mont.—C. P., **1490 kc.,** 250 watts, unlimited.

NEW—Barclay Craighead, Butte, Mont.—C. P., **1490 kc.,** 250 watts, unlimited.

Thursday, April 9

Further Consolidated Hearing

NEW—Utica Observer-Dispatch, Inc., Utica, N. Y.—C. P., **1450 kc.,** 250 watts, unlimited.

NEW—Utica Broadcasting Company, Inc., Utica, N. Y.—C. P., **1450 kc.,** 250 watts, unlimited.

NEW—Midstate Radio Corporation, Utica, N. Y.—C. P., **1470 kc.,** 1 KW, DA-day and night, unlimited.

Friday, April 10

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Modification of license, **620 kc.,** 5 KW, unlimited, DA-night and day.

Further Consolidated Hearing

NEW—Air-Waves, Inc., Baton Rouge, La.—C. P., **1400 kc.,** 250 watts, unlimited.

NEW—Louisiana Communications, Inc., Baton Rouge, La.—C. P., **1400 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Associated Broadcasters, Inc., Indianapolis, Ind.—Granted construction permit (B4-PH-122) for new station to operate on **47300 kc.**, with a service area of 8,400 square miles, subject to Civil Aeronautics Authority approval of antenna site.

K31LA—Columbia Broadcasting System, Inc., Hollywood, Calif.—Granted modification (B5-MPH-70) of construction permit for approval of directional antenna system for a coverage of 34,000 square miles and for approval of transmitter.

K37LA—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted modification (B5-MPH-66) of construction permit for approval of directional antenna system for a coverage of 34,000 square miles and for approval of transmitter.

W57A—General Electric Co., Schenectady, N. Y.—Granted modification (B1-MPH-25) of construction permit to change frequency from 45700 to **48500 kc.**, coverage 6,600 square miles, and make changes in antenna system; effective radiated power 5 KW without prejudice to the filing of an application for increased power on an experimental basis for further study in regard to service rendered in the area.

WGTM—WGTM, Inc. (Assignor), Penn T. Watson (Assignee), Wilson, N. C.—Granted consent to assignment of construction permit (to move studio and transmitter), and license for station WGTM from WGTM, Inc., to Penn Thomas Watson for a total consideration of $32,500 (B3-APL-12).

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted modification (B2-MP-1498) of construction permit (B2-D-3207), to make changes in proposed directional antenna system and for approval of transmitter and studio location; conditions.

WRGB—General Electric Co., Schenectady, N. Y.—Granted authority to make aural call letter and location announcements only for WRGB during periods when programs originating with station WNBT, New York City, are being rebroadcast by WRGB for a period of three months, subject to the condition that during this period necessary arrangements will be made for full compliance with Section 4.262(a) of the Rules and Regulations.

General Electric Co. (area of Schenectady, N. Y.), Portable mobile.—Granted construction permit (B1-PVB-91) for new experimental television relay station to operate on frequency **312000-324000 kc.**, 25 watts (peak) power, to communicate with television broadcast station WRGB.

W47NY—Muzak Corporation, New York, N. Y.—Reconsidered and granted petition for consent to assign construction permit from Muzak Corp., wholly owned by Associated Music Publishers, Inc., to Muzak Radio Broadcasting Station, Inc., jointly owned by Muzak Corp. and Charles E. Merrill, of Palm Beach, Fla. (Docket 6277).

LICENSE RENEWALS

Granted extension upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1942, of the following station licenses:

KGHL, Billings, Mont.; KMTR, Los Angeles; WFDF and auxiliary, Flint, Mich.; WGR, Buffalo, N. Y.; WMCA and auxiliary, New York City.

The following stations were granted further extensions upon a temporary basis only, pending receipt and determination upon applications for renewal, for the period ending May 1, 1942:

KGGF, Coffeyville, Kans.; KGU, Honolulu, T. H.; WFPG, Atlantic City, N. J.; WGCM, Gulfport, Miss.; WGRM, Greenwood, Miss.; WKBV, Richmond, Ind.; WKBW and auxiliary, Buffalo, N. Y.; WMIS, Natchez, Miss.; WORK, York, Pa.; WOWO, Fort Wayne, Ind.; WRJN, Racine, Wis.

WHCU—Cornell University, Ithaca, N. Y.—Granted renewal of license for the period ending not later than February 1, 1944.

WMEX—The Northern Corp., Boston, Mass.—Granted renewal of license for the period ending not later than April 1, 1944.

DESIGNATED FOR HEARING

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Designated for hearing application for construction permit (B2-P-3124) to make changes in equipment and increase power from 100 watts to 250 watts.

WMAN—Richland, Inc., Mansfield, Ohio.—Application for renewal of license designated for hearing; temporary license extended pending determination on renewal.

WBOC—The Peninsula Broadcasting Co., Salisbury, Md.—Designated for hearing application for construction permit (B1-P-3352) to change frequency from **1230** to **960 kc.**, increase power from 250 watts to 1 KW, and install directional antenna for night use.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Designated for hearing application for construction permit (B2-P-3403) to change frequency from **1450** to **1260 kc.**, increase power from 250 watts to 1 KW night, 5 KW local sunset, install new transmitter and directional antenna system for night use and move transmitter locally.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Designated for hearing application for construction permit (B2-P-3254) to increase power from 250 watts to 1 KW, change frequency from **1450** to **630 kc.**, install a new transmitter, and install a new directional antenna for day and night use. (Commissioners Payne and Craven dissented.)

MISCELLANEOUS

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit for increase in night power and to install directional antenna for day and night use, for extension of completion date from March 16 to May 16, 1942 (B5-MP-1514).

KFGQ—Boone Biblical College, Boone, Iowa.—Granted license to cover construction permit for change in frequency, increase in power, change in transmitter, install new antenna and change in hours of operation (B4-L-1578), granted authority to determine operating power by direct measurement of antenna power (B4-Z-1317).

WFIO—Spokane Broadcasting Corp., Spokane, Wash.—Granted license to cover construction permit for new transmitter, new antenna, change in frequency, increase in power, and change in hours of operation (B5-L-1603), granted authority to determine operating power by direct measurement of antenna input (B5-Z-1336).

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Granted license to cover construction permit as modified, for new station (B3-L-1633), granted authority to determine operating power by direct measurement of antenna input (B3-Z-1364).

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted modification of construction permit which authorized change in hours of operation and changes in directional antenna for day and night use, for extension of completion date from March 29, 1942, to May 30, 1942 (B4-MP-1535).

Butler Broadcasting Corp., Hamilton, Ohio.—Scheduled for oral argument in the matter of application for new station (Docket No. 5985), on April 22, 1942.

WSAY—Edward J. Doyle; Brown Radio Service and Laboratory, Rochester, N. Y.—Adopted final order (B-145) denying without prejudice the application of Edward J. Doyle for a new station, and granting the application of WSAY for a construction permit to change operating assignment (Dockets 5023 and 5921).

WLAV—Leonard A. Versluis, Grand Rapids, Mich.—Granted motion to dismiss without prejudice application for construction permit (B2-P-3325).

KADA—C. C. Morris, Ada, Okla.—Granted authority to install automatic frequency control equipment (B3-F-245).

KGKO—KGKO Broadcasting Co., Fort Worth, Tex.—Granted license to cover construction permit as modified, for changes in directional antenna system and increase in power (B3-L-1622), granted authority to determine operating power by direct measurement of antenna input (B3-Z-1354).

WIS—The Liberty Life Insurance Co., Columbia, S. C.—Granted modification of license to change name from The Liberty Life Insurance Co. to Surety Life Insurance Co. (B3-ML-1114).

WEDP—The Yankee Network, Inc., area of Boston, Mass.—Cancelled relay broadcast station construction permit authorization in accordance with the written requests of the permittee.

Paul F. Godley, Newark, N. J.—Granted motion for dismissal without prejudice of application for construction permit for new station (B1-P-3258).

James F. Hopkins, Inc., Ann Arbor, Mich.—Granted motion to dismiss without prejudice application for new broadcast station (B2-P-3291).

Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane d/b as Hoosier Broadcasting Co., Indianapolis, Ind.—Granted motion for leave to amend application for new station so as to specify 1 KW power, denied request for removal from hearing docket.

The Constitution Broadcasting Co., Atlanta, Ga.—Passed over to March 31 motion for indefinite postponement of hearing now set for April 13, on application of applicant and Bob Jones College, Inc., for new stations in Atlanta, Ga., and Cleveland, Tenn., respectively, and on its own motion the Commission continued the hearing to May 7.

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Passed over to March 31 motion for indefinite postponement of hearing now set for May 14 on application of WWSW and WICA to use frequency **970 kc.**

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Denied motion for indefinite postponement of hearing now set for March 31 on applications of WTCN, WHB and Park Cities Broadcasting Corp., Dallas, Texas, involving use of frequency **710 kc.**, exceptions noted by counsel for petitioner.

Scripps-Howard Radio, Inc., Houston, Texas.—Passed over to March 31 motion for indefinite postponement of hearing now set for May 6 on applications of applicant, Texas Star Broadcasting Co., and Greater Houston Broadcasting Co., Inc., applicants for a new station in Houston.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Denied petition for review of action of the Presiding Commissioner of the Motions Docket on March 20, 1942, in denying its petition for leave to retire its construction permit application for unlimited time operation on **950 kc.**, with 1 KW power (Docket 6129), now set for hearing on April 23, 1942, to the Commission's files with privilege to revive the same; affirmed action of Presiding Commissioner.

WDNC—Durham Radio Corp., Durham, N. C.—Denied petition for review of action of the Presiding Commissioner of the Motions Docket on March 20, 1942, in denying its petition for leave to remove from the hearing docket and place in the files construction permit application to operate on **1490 kc.**, with 5 KW day and 1 KW night (Docket 6209), now set for hearing on April 29, 1942; affirmed action of Presiding Commissioner.

WBYN—WBYN, Brooklyn, Inc., Brooklyn, N. Y.—Denied request for special temporary authority for period not to exceed 30 days, to operate with main studio at 132 West 42nd Street, New York City, in lieu of site specified in existing license (1 Nevins Street, Brooklyn, N. Y.).

Greater New York Broadcasting Corp., New York, N. Y.—Denied petition for reconsideration and grant without hearing of construction permit application for new station to operate on frequency **48700 kc.** to serve an area of 8,500 square miles.

The Constitution Broadcasting Co., Atlanta, Ga.—Denied motion for indefinite postponement of hearing in re application of The Constitution Broadcasting Co., Atlanta, Ga., and Bob Jones College, Inc., Cleveland, Tenn., applicants for new stations to operate on **550 kc.**, 1 KW night, 5 KW day, directional antenna night, unlimited time; exceptions noted by counsel for petitioner. (Dockets 6075 and 6221.)

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Denied motion for indefinite postponement of hearing in re applications of WWSW and WICA, Inc. (Station WICA), Ashtabula, Ohio, applicants for construction permits. (File numbers B2-P-3081; B2-P-3055; Dockets 6120, 6121, respectively.) Exceptions noted by counsel for petitioner.

Scripps-Howard Radio, Inc., Houston, Texas.—Denied motion for indefinite postponement of hearing in re applications of Scripps-Howard Radio, Inc., Texas Star Broadcasting Co., and Greater Houston Broadcasting Co., Inc., applicants for new stations at Houston, Tex.; exceptions noted by counsel for petitioner. (Dockets 6088, 6089 and 6096, respectively.)

KUTA—Utah Broadcasting Co., Salt Lake City, Utah.—Granted modification of construction permit as modified, for new transmitter, install directional antenna for day and night use, change in frequency, increase in power, and move of transmitter, for extension of completion date from March 26 to May 25, 1942 (B5-MP-1534).

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa.—Granted modification (B4-MP-1525) of construction permit for new station, for approval of transmitter site, studio location, and directional antenna for night use.

APPLICATIONS FILED AT FCC

560 Kilocycles

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Construction permit to install new transmitter, directional antenna for day and night, and increase power from 1 to 5 KW. Amended: re directional antenna system.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Authority to determine operating power by direct method.

600 Kilocycles

KRMC—Jamestown Broadcasting Co., Inc., Jamestown, N. D.—Construction permit to install new transmitter, new antenna, change frequency from **1400** to **1540 kc.**, increase power from 250 watts to 5 KW night, 10 KW day, move studio and transmitter. Amended: to change from construction permit to modification of license by omitting request for increase in power, new equipment, move of studio and transmitter and requesting change in frequency only from **1400** to **600 kc.** (Changes File No. from B4-P-3262).

630 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colorado.—Modification of construction permit (B5-P-2663) as modified, for increase in power, changes in directional antenna system, installation of new transmitter, for authority to install new type transmitter and extend Commencement and completion dates from 9-29-41 and 3-29-42 to 1 day after grant and 30 days thereafter.

670 Kilocycles

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Authority to determine operating power by direct method.

900 Kilocycles

KLCN—Fred O. Grimwood, Blytheville, Ark.—License to cover construction permit (B3-P-3037) as modified, to move transmitter, install new transmitter, make changes in antenna, increase power and change frequency.

KLCN—Fred O. Grimwood, Blytheville, Ark.—Authority to determine operating power by direct method.

920 Kilocycles

WJAR—The Outlet Co., Providence, R. I.—License to cover construction permit (B1-P-3439) for changes and move of old transmitter for auxiliary transmitter.

970 Kilocycles

WAAT—Bremer Broadcasting Corp., Newark, N. J.—Modification of license to move studio from Jersey City to Newark, N. J.

WAAT—Bremer Broadcasting Corp., Newark, N. J.—License to cover construction permit (B1-P-3376) to move old transmitter to site of new transmitter for auxiliary transmitter.

980 Kilocycles

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Authority to determine operating power by direct method for main transmitter.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Authority to determine operating power by direct method for auxiliary transmitter.

1090 Kilocycles

WBAL—WBAL Broadcasting Co., Baltimore, Md.—License to cover construction permit (B1-P-3319) to move old main transmitter to site of new main transmitter, for emergency use only as auxiliary transmitter.

WBAL—WBAL Broadcasting Co., Baltimore, Md.—Authority to determine operating power by direct measurement.

1150 Kilocycles

WAPO—W. A. Patterson, Chattanooga, Tenn.—License to cover construction permit (B3-P-3412) which authorized move of old transmitter to site of new main transmitter, and use as an auxiliary transmitter for emergency use only, with power of 250 watts.

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Construction permit for changes in equipment and directional antenna and increase power from 500 watts to 1 KW.

1230 Kilocycles

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—License to cover construction permit (B3-P-3461) for new equipment.

1240 Kilocycles

WSNY—Western Gateway Broadcasting Corp., Schenectady, N. Y.—Modification of construction permit (B1-P-2690) for a new station, requesting change in type of transmitter, changes in antenna system, approval of transmitter site at Rotterdame, N. Y., and approval of studio site and extension of commencement and completion dates from 4-24-42 and 10-24-42 to 15 days after grant and 120 days thereafter, respectively.

WBRB—Monmouth Broadcasting Company, Red Bank, N. J.—Construction permit to make changes in antenna system, and move studio and transmitter from 63-65 Broad St., Red Bank, N. J., to Red Bank, N. J. Amended: re antenna and equipment.

1290 Kilocycles

WTOC—Savannah Broadcasting Company, Savannah, Ga.—Modification of construction permit (B3-P-2944) as modified, to install directional antenna for night use, increase in power, and change to NARBA frequency, requesting extension of completion date from 4-15-42 to 6-15-42.

1330 Kilocycles

NEW—WJPS, Inc., Evansville, Ind.—Construction permit for a new broadcast station to be operated on **1330 kc.,** 1 KW, unlimited time, using directional antenna night. Amended: re transmitter site (Geographic).

1340 Kilocycles

KSUB—Southern Utah Broadcasting Company, Cedar City, Utah. —Construction permit to make changes in equipment and increase power from 100 to 250 watts.

1380 Kilocycles

WMBG—Havens & Martin, Inc., Richmond, Va.—Modification of construction permit (B2-P-3197) for authority to make changes in directional antenna for night use, requesting extension of completion date from 4-12-42 to 5-12-42.

1400 Kilocycles

KEVR Evergreen Broadcasting Corp., Seattle, Wash.—License to cover special service authorization which authorized operation on **1090 kc.,** power of 250 watts, unlimited time, using equipment specified under B5-P-2023.

1450 Kilocycles

WASK—WFAM, Incorporated, Lafayette, Ind.—Authority to determine operating power by direct measurement.

KFMB—Worcester Broadcasting Corporation, San Diego, Calif. —Special service authority to operate on **1170 kc.** for period ending 12-1-42.

WASK—WFAM, Inc., Lafayette, Ind.—License to cover construction permit (B4-P-3146) as modified, for a new broadcast station.

WASK—WFAM, Inc., Lafayette, Ind.—Authority to determine operating power by direct method.

WASK—WFAM, Inc., Lafeyttte, Ind.—License to cover construction permit (B4-P-3146), as modified, for a new station.

1480 Kilocycles

WHOM—New Jersey Broadcasting Corp., New York, N. Y.—Construction permit to install directional antenna for day and night, new transmitter, increase power from 500 watts night, 1 KW day to 5 KW and move studio from Jersey City, N. J., to New York, N. Y. Amended: re directional antenna.

1490 Kilocycles

WRGA—Rome Broadcasting Corp., Rome, Ga.—Construction permit to move transmitter and make changes in antenna system.

1580 Kilocycles

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Modification of construction permit (B2-PCT-4) as modified for a new commercial television station, requesting move of transmitter, changes in antenna, increases ESR from **680** to **1580** and extension of completion date from 4-1-42 to 180 days after grant.

FM APPLICATIONS

W67B—Westinghouse Radio Stations, Inc., Boston, Mass.—Modification of construction permit (B1-PH-62) as modified for a new high frequency broadcast station, requesting change in type of transmitter and extension of commencement and completion dates from 12-18-41 and 4-18-42 to 60 days after grant and 180 days thereafter, respectively.

W51NY—National Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-PH-15) as modified for a new high frequency broadcast station, requesting extension of completion date from 3-27-42 to 6-27-42.

NEW—Allen B. DuMont Laboratories, Inc., Passaic, N. J.—Construction permit for a new commercial station (formerly W3XWT) television. Frequencies No. 1, **50,000-56,000 kcs.;** emission A5 and Special for frequency modulation; ESR, 155; time of operation, unlimited; coverage, 160 sq. mi.; population, 500,000; location—T, 11th and H Sts., N. W., Washington, D. C.; studio same. (Aural, Dumont, type No. 100 UTX (maximum 200 watts); visual Dumont, type No. 100 UTX (maximum 400).

W3XAD—RCA Manufacturing Co., Inc., Portable-Mobile.—Construction permit to add transmitter to use special emission for frequency modulation on the aural channel with power of 50 watts, and changes transmitter location from portable vicinity Camden, N. J., to portable-mobile, vicinity Camden, N. J.

W3XEP—RCA Manufacturing Co., Inc., Camden, N. J.—Construction permit to add transmitter to use special emission for frequency modulation on the aural channel with power of 10 KW.

W65PH—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Modification of construction permit (B2-PH-81 as modified and which authorized a new high frequency broadcast station) for extension of completion date only from 4-22-42 to 10-22-42.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PH-73) as modified for a new high frequency broadcast station, requesting change in type of transmitter.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—License to cover construction permit (B2-PH-73) as modified for a new high frequency broadcast station.

W49FW—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Modification of construction permit (B4-PH-63) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-18-42 to 10-15-42.

TELEVISION APPLICATIONS

W3XWT—Allen B. DuMont Laboratories, Inc., Washington, D. C.—Modification of construction permit (B1-PVB-31) as modified for a new television broadcast station, requesting extension of commencement and completion dates from 9-27-41 and 3-26-42 to 6-26-42 and 12-26-42, respectively.

WABD—Allen B. DuMont Laboratories, Inc., New York, N. Y.—Modification of construction permit (B1-PCT-6) for a new commercial television broadcast station, requesting extension of completion date from 4-6-42 to 10-6-42.

W6XDL—Don Lee Broadcasting System, San Francisco, Calif.—Modification of construction permit (B5-MPVB-48) as modified for a new television broadcast station, requesting extension of commencement and completion dates from 10-30-41 and 4-30-42 to 4-30-42 and 10-30-42, respectively.

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Modification of construction permit (B2-PCT-4) as modified, for a new commercial television broadcast station, requesting extension of completion date from 4-1-42 to 10-1-42.

MISCELLANEOUS APPLICATIONS

NEW—Western Evergreen Broadcasting Assn., Seattle, Wash.—Authority to transmit programs from Western Evergreen Broadcasting Assn. to stations of the Canadian Broadcasting Corp. from 6 p. m. to 8 a. m., daily, via Postal Network lines and Pacific Telephone and Telegraph Co. Also authority to use, as an alternate circuit, services of the Postal Telegraph Cable Co.

WHAE—Courier-Journal and Louisville Times Co., Louisville, Ky.—License to cover construction permit (B2-PRE-397) for a new relay broadcast station.

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PRE-386) as modified, which authorized a new ST Broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Bewley Mills—Alleging misleading representation in the sale of "Bewley's Red Anchor Feeds" for poultry and livestock, a complaint has been issued against Bewley Mills, Fort Worth, Tex. (4739)

Grabosky Brothers—Charging violation of the Robinson-Patman Act in the sale of cigars, a complaint has been issued against Benjamin L. and Samuel Grabosky, trading as Grabosky Brothers, cigar manufacturers, who maintain their principal office at 11th and Wood Sts., Philadelphia, and operate plants in Philadelphia and Perth Amboy, N. J. (4740)

Motor Equipment Specialty Company—A complaint has been issued charging Hiram E. Barber, trading as Motor Equipment Specialty Co., Beaver City, Neb., with misrepresentations in the sale of devices known as "Mesco Fender Roller," "Universal Wheel Check," and "Tire Remover," for use in connection with automobiles. (4737)

National Mineral Co.—A complaint has been issued charging National Mineral Co., trading as Helene Curtis Industries, 2638 North Pulaski Road, Chicago, with misrepresentation in the sale of hair dye cosmetics designated "Helene Curtis Tru-Tone Color Control Oil Shampoo Tint" and "Helene Curtis Hair Rinse." (4738)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Associated Motor Oils, Inc., trading as Associated Products Co., 2313 South LaSalle St., Chicago, engaged in the blending and canning of motor oils and greases, has been ordered to cease and desist from misrepresentation in connection with the sale of its products. (4621)

Boyer Brothers—William E. Boyer and Robert J. Boyer, trading as Boyer Brothers, Altoona, Pa., candy distributors, have been ordered to cease and desist from placing in the hands of others punchboards or other lottery devices, either with assortments of merchandise or separately, which are to be used or may be used in selling and distributing such merchandise to consumers, and to cease selling merchandise so packed or assembled that it may be sold to the public by means of a gift enterprise or lottery. (4475)

De Forest's Training, Inc., 2533 North Ashland Ave., Chicago, has been ordered to discontinue misleading representations in the sale of television or electronics courses.

Commission findings are that the respondent advertised, among other things, as follows: "If Television develops as we anticipate, it won't be very long until many of the 23,000,000 homes in the U. S. will want Television receivers. * * *" Television "will hold wonderful opportunities for the young man who has the vision and foresight to get into it at the very beginning and pioneer and grow with it."

The Commission finds that regardless of the optimism of various individuals engaged in the television field with respect to its commercial development, delay after delay has occurred to postpone that development, and the involvement of the nation in hostilities will undoubtedly result in further delay. The fact is, the findings continue, that no one can say with certainty when the commercial development of television will reach a stage which assures opportunities for the employment of large numbers of men.

The Commission order directs the respondent to cease representing that there are possibilities for employment of its students or graduates in the television field until substantial numbers of them have been and can be employed directly in that field; and to cease representing that there are now, or in the near future will be, opportunities for employment of students or graduates, until the commercial developments of television advances sufficiently to assure such possibilities. (4441)

Folding Furniture Works, Inc., Stevens Point, Wis., manufacturer of children's cribs and bassinets, tables, and other furniture, has been ordered to cease and desist from unfair and deceptive acts and practices in the sale of its products. (4611)

Warner's Renowned Remedies Co., 2451 Nicollet Ave., Minneapolis, has been ordered to cease disseminating misleading advertising matter in the sale of medicinal preparations designated "Warner's Renowned Prescription No. 6," "Warner's Renowned Laxative Tablets," and "Warner's Renowned Alkaline Douche Tablets," which are sold separately and in combination under the designations "Prescription No. 6 Complete," "Prescription No. 6 Method," and "Formula No. 6 Method." (4063)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Ru-Mari Company—William G. Carr and Ronald Brunswick, Jr., trading as American Ru-Mari Co., 172 North La

Brea St., Los Angeles, stipulated that they will discontinue certain misrepresentations in connection with the sale of a medicinal preparation designated "Ro-Mari." The stipulation also was entered into by W. C. Jeffries, 816 West Fifth St., Los Angeles, who operates, under the name W. C. Jeffries Co., an agency which disseminated advertisements for "Ro-Mari." (02960)

Benedict Lust, 343 Lexington Ave., New York, has entered into a stipulation to discontinue certain representations in connection with the sale of health books and health foods. (02962)

Blind and Disabled Veterans, Inc., 2000 Greenmont Ave., Baltimore, stipulated that in the sale and distribution of photographs of the Tomb of the Unknown Soldier it will cease representing that it is a non-profit or philanthropic corporation or that the proceeds from the sale of such pictures or other commodities sold by it are being used in aiding or assisting blind or disabled veterans. (3434)

Griggs, Cooper & Co., University and Fairview Aves., St. Paul, Minn., manufacturer of candy, trading as Sanitary Food Manufacturing Co., stipulated to cease supplying others candy or other merchandise, together with punch boards or other lottery devices, or supplying such devices, with candies or other merchandise or separately, which devices are to be or may be used in selling the merchandise to the public. (3435)

Mor-Milk Company—Charles Utley Noble and H. T. Noble, trading as The Mor-Milk Co., Dixon, Ill., stipulated to stop representing that the animal feeds they sell under the names "Mor-Milk For Calves" and "Mor-Milk for Pigs" constitute a competent remedy or effective treatment for "scours" or "worms" of calves, pigs or other animals or are effective in preventing such conditions; that any mixture of their products with water or another product provides a rich, nutritious or adequate food when such is not a fact; or that the feeding value of their products is in excess of the actual feeding value. (3438)

C. A. Mosso Laboratories—Edgar B. Penny, Minnie F. Penny, F. S. Penny and Fred D. Penny, operating under the firm name of C. A. Mosso Laboratories, 215 South Leavitt St., Chicago, entered into a stipulation to cease and desist from certain representations concerning the therapeutic properties of a medicinal preparation designated "Oil-of-Salt." (02963)

Sas-Nak Company—Arthur T. Wilson, trading as The Sas-Nak Co., P. O. Box 4671, Kansas City, Mo., has entered into a stipulation to cease and desist from certain representations in the sale of a medicinal product designated "Sas-Nak." (02961)

Underwood & Underwood, 1538 Connecticut Ave., Washington, D. C., and Seymour M. Blaufarb, also known as Sidney M. Barton, and trading as Continental Galleries, 250 East 43rd St., New York, entered into stipulations to cease and desist from certain representations in the sale of photographs designated "Gold Tone Miniatures." (3436-3437)

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NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 15, April 10, 1942

CONVENTION

Annual Station Promotion Competition

M. F. (Chick) Allison, WLW Promotion and Publicity chief and Chairman of the NAB Promotion Display Committee, sends to all radio stations today the complete outline of the NAB Annual Station Promotion Competition. Keyed to the "Radio and the War" theme which will dominate the entire Convention program the competition presents an unusual and interesting challenge.

"Radio has a big job to do to help to win the war," says Mr. Allison in his statement. "Despite the fact that this is the first war radio has seen, the industry has leaped to the realization of its responsibilities magnificently. Countless examples have come to the attention of NAB of how stations are aiding the war effort most effectively in their own individual ways.

"In order that all commercial stations in the country may have an opportunity to demonstrate their accomplishments for the benefit of the entire industry, if has been decided to adopt the following plan for the Annual Promotion Competition at the Annual Convention in May.

"This plan has been discussed with the OFF, and they are heartily in accord with its purpose and will cooperate to the fullest extent. The plan, therefore, merits your whole-hearted cooperation and calls for action from a greater number of stations than ever before."

The competition is divided into four groups and certificates will be awarded in each group to large, medium and small stations respectively. Following are the four groups:

1. Certificate of Award to the station which has most effectively educated its audience concerning the war effort.
2. Certificate of Award to the station which has most effectively inspired its audience to continue its support of the war effort.
3. Certificate of Award to the station which has distinguished itself in the conduct of Civilian Defense activity.
4. Certificate of Award to the station which has made important contributions to progress in the art of broadcast advertising.

Competition Rules

1. There is no limit to the number of individual display panels any station can enter.
2. All panels must be received at the Hotel Statler in Cleveland, Ohio, by Friday, May 8.
3. *If you wish displays returned,* be sure to pack in a carton or crate which can be opened without dismantling. All shipments will be returned freight collect following the close of the convention.
4. Panels are to be uniform 28" wide by 44" high and, due to the method of displaying, *must be composed vertically.* Panels must be constructed with flat backs so they can be displayed on the special easel-type frames being constructed specially for them. There are no other restrictions in the manner in which your panels are to be made. Your imagination and ingenuity have full play.
5. Each panel must bear somewhere on its face the station call letters and the competition class number in which it is being entered—1, 2, 3, or 4.
6. Address all shipments to:

M. F. Allison
NAB Promotion Display
Hotel Statler
Cleveland, Ohio

Committee Members

Besides Mr. Allison, Committee members are: Charles Newcomb, WGAR, Cleveland; Robert Greenberg, WHK-WCLE, Cleveland; Howard Barton, WTAM, Cleveland; Harry Buckendahl, KALE, Portland, Ore.; King Park, WBBM, Chicago; Frank Barhydt, KMBC, Kansas City, Mo.; Irvin Gross, WFAA, Dallas; and Holly Moyer, KFEL, Denver.

RADIO TECHNICIANS

A meeting of the Domestic Broadcast Committee IV of DCB was held Wednesday, April 8. Several plans for additional relief to broadcast stations in regard the technician shortage were submitted to the Committee. These concern the relaxation of operator rules so that a person with "limited knowledge" of technical matters could operate a broadcast station provided a competent technician is on call. Recommendations made by the Committee, if adopted by FCC, should result in a beneficial relaxation of the operator rules. Neville Miller, chairman of the Committee, and Lynne C. Smeby attended the meeting as the NAB representatives.

This May Help

Pending a new supply of technicians at the completion of the radio technician training courses and any relaxation of standards authorized by FCC, broadcast stations may be able to locate men through the following procedures:

1. Inform local chapters of Institute of Radio Engineering and local amateur groups that second class radio telephone licensed men may operate a broadcast station. In addition to appeal through organizations contact men individually.
2. If you have studio operators working without license encourage them to study with the help of your engineer and obtain licenses. Some will have the right background to get a license with reasonable promptness.
3. Ascertain whether there are any suitable men employed at local police, fire, utility or aircraft radio stations who would be willing to take on an extra assignment at your station.
4. Check over local radio servicemen. It may be that you can find one who can qualify for a license with speed and ease.
5. Try your high school physics instructors. While some have amateur licenses nearly all possess fundamental knowledge with which to pass an FCC exam. During the emergency many of these men could take late afternoon or evening shifts.
6. Stations in or near colleges might check proper departments to see if there are any advanced students with proper background which would enable them to get a second class license.

NAB Reports
The National Association of Broadcasters
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

Winning the War

John M. Rivers, president, WCSC, Charleston, S. C., has found a way for a limited-staff station to contribute to speeding up the war effort.

His staff has produced a series of what he calls "quickies" which are illustrated below. They are used several times each day and rotated.

"Later on," said Mr. Rivers, "we plan to invite the public to write 'quickies' for us." The "quickies" are very effective with the Charleston audience, according to Mr. Rivers.

Examples of "quickies" follow:

The French thought they could lick Hitler easy, too, and look what happened to them! *We've got to hurry up, people. We need* millions *of guns . . . thousands of planes and tanks . . . and we need them now! Speed up production!*

Every time you take time out on your vital job, you take a gun out of a soldier's hands. Americans must wake up . . . Production must speed up!

Too little . . . Too late. We're thinking about war production. That doesn't apply to you, does it?

American offensive depends on the amount of production. Are you doing your best?

Count the day lost that does not show a production increase.

Do we love liberty enough to work for it? How's production in your *shop?*

KTRB, Modesto

Cecil Lynch, program director, KTRB, Modesto, Calif., has forwarded the script of a 15-minute show KTRB uses to do a combination job of morale building and recruiting. The programs are transcribed and they are used several times. It is Mr. Lynch's belief that this treatment does an outstanding job.

The program opens with music, in the sample script, with Beethoven's Fifth. Then the first voice:

"On the air for VICTORY! Victory begins with YOU. Start today, to Win the War on the Home Front."

More Beethoven and a second voice:

"Listen America—the Battle of the World is in progress, and all freedom is at stake. It is true that we in the United States have never lost a war—*but, neither has Japan.* We, the people of the United States of America, *could lose* this war—but we will not, if——"

First voice:—"If 132-million of us will concentrate in making America First on Land, First in the Air, First on the Sea, First Under the Sea!"

The two voices weave in various announcements and copy pays tribute to such groups as the Mosquito Fleet, the Navy Air Cadets, loftsmen, etc., for Pearl Harbor (manpower spots), bonds and stamps, Army recruiting and aircraft production.

Covers War Rally

The State of Connecticut held a war rally for state employees in Hartford, April 6, 12:15-1:00 p. m. Since the program fell on Army Day, WTIC broadcast the proceedings as a portion of its Army Day observance. Governor Hurley was among the speakers. Exercises included the unveiling of a temporary plaque to employees now in the armed forces. According to Thomas C. McCray, assistant general manager, the program was fed to WNAB, Bridgeport; WNLC, New London; WBRY, Waterbury; and, WELI, New Haven.

"Production for Victory"

Gunnar O. Wiig, general manager, WHEC, Rochester, broadcast "PRODUCTION FOR VICTORY" as an evening show, April 2, all of which suggests a format that may be employed elsewhere with advantage. The program was designed not only as a salute to industry in general but also to pay tribute to the Bausch and Lomb Optical Company where the month of April had been designated as "Make More for MacArthur Month."

The announcer came in cold with "AMERICA MARCHES ON!" Then music, "America Marches On," and the Narrator, grim, dramatic, determined:

"On March Second, 1942, Donald Nelson made an appeal to industry . . . an appeal whose urgency can not be too strongly underscored. He said, 'There must be sweat and action on the production-line to match the blood and action on the battle-line.' . . .

"To you and me, his message means just this: Production for Victory. . . It's up to us, the men, the women, the families behind the men behind the guns, to forge ahead! We can work as hard as we've the will to work, and there must be no limit to that will . . . no point at which we can say, 'This is as far as I can go . . . this is as hard as I can work . . .' No man ever won a race by saying, 'This is as fast as I can run,' when his opponent was at his heels. Somewhere, he found the extra burst of speed . . . and came across the finish line ahead of the field.

"That's our job, America! That's our job, Rochester!"

In his remarks on behalf of Bausch and Lomb, Mr. Eisenhart said:

"What I have to say concerns two words—two words that are perhaps of greater importance to you and me and 130,000,000 other Americans than any other two words in the English language. They are Production and Victory. Victory is the goal of every true American, and the goal to which our industries are dedicating their facilities and experience. Victory over despotism and slavery is the ideal for which the finest of American men are giving their lives on the far-flung battlefields of this war. Victory is more important to every one of us than anything else in the world. . . ." etc.

Put Emphasis on "War"

Raymond Jeffers, Chicago public relations man, who has been arranging personal appearances in Army camps for Mary Ann Mercer, vocalist on "Uncle Walter's Dog House," in behalf of the sale of War Bonds and Stamps, writes:

"I firmly believe that if the word *WAR* is brought out more vividly through sight and sound that it will be more impressive. . . . We have to use some method of bringing *WAR* more impressively before the American public so that they may realize we are in a *WAR.*"

Mr. Jeffers suggests that announcers put the emphasis on *WAR* when they say, "It is 5:02 easternwartime." Why couldn't the announcer say, "This is eastern-*WAR*-time." "I suggest," he said, "that in newspapers when radio time or any time is mentioned that we use—*'EWART.'* "

SELL CHRONOMETERS TO NAVY

Keep chronometers until we have investigated, was the warning issued on March 27. The Navy has completed its investigation and the official statement was forthcoming yesterday.

Specific directions for selling these instruments directly to the Navy are contained in the statement printed herewith. All stations with chronometers to spare are urged to sell.

Official Navy Statement

"Since 14 November, 1941, the Navy and the Maritime Commission have been obtaining chronometers, mounted chronometer watches, and chronometer watches through the efforts of several business organizations, the representatives of which have carried letters of identification in the past, but will not carry them in the future.

"It is hardly necessary to explain that the instruments are urgently needed. Owners of instruments who feel that they can spare them are urged to offer them to the Navy. Depending upon the suitability of the instruments offered, prices ranging from $100 to $350 for standard chronometers, $65 to $100 for mounted chronometer watches, and $65 to $75 for chronometer watches are being paid.

"But please note that it is not obligatory to deal with any of the solicitors who may call. If you do not like the price offered by the solicitor, or if you would rather do business directly with the Navy and the Maritime Commission, you are invited to communicate directly with the Superintendent, U. S. Naval Observatory, Washington, D. C., giving the exact description of your instrument and the price that you expect to receive. If your instrument proves satisfactory on inspection at the Naval Observatory an appraised value will be submitted to you.

"And, remember that you are not obliged to part with your instrument at all unless you want to do so."

Sales

Money-saving Survey for Broadcasters

All tangled up in a maze of claims and counter-claims, doubts and disputes, have been the subjects of performance by radio stations on commercial accounts, the confidence of agencies and clients in radio, and the activities of checking services that have tended to undermine this confidence, put radio on the spot, and divert billing to other media. The radio industry's chief obstacle in meeting these problems has been the fact that it lacked actual performance data.

Tackling the problem, the NAB Sales Managers Executive Committee at a meeting last January authorized the making of a sample survey that would provide a reliable experience record within the limits of the sample.

Three stations were selected for the test: a large, a medium and a small station, in different geographical areas. To John Outler, WSB; E. Y. Flanigan, WSPD, and Dietrich Dirks, KTRI, go the sincere thanks of the Committee for their valuable contributions to this study.

The survey is published here in full, and the Committee believes it merits the study of all station owners and managers, as well as the heads of all departments. Following that it should be retained by the station's Sales Department as a piece of sales ammunition to combat the claims of checking services and competitive media whenever the occasion to use it arises. The Committee believes that, properly used, this survey can help save many thousands of dollars in billings for the radio industry.

* * *

NAB Survey of Radio Station Performance in Commercial Broadcasting

Period: Month of February, 1942.

Stations Participating: WSB, Atlanta, Ga., 50,000 watts;
WSPD, Toledo, O., 5,000 watts;
KTRI, Sioux City, Ia., 250 watts.

Method: Each station set up a multiple-check system whereby every stage of the commercial broadcasting process could be scrutinized, and every error of omission or commission, however slight, detected and reported. Checking was done by every announcer, by every control operator, by transmitter engineers, and by personnel in the Sales, Traffic and Program departments. Station logs, transmitter logs and daily program schedules were double-checked for quantitative performance; announcers and control operators, as well as other station personnel, likewise reported on qualitative performance. No conscious effort was made to operate the stations during this period in any other than a normal manner, as the purpose of the survey was to determine, percentage-wise, the predictable margin of error in a given quantity of commercial broadcasts.

Number of services rendered during the period:

WSB broadcast a total of 1,806 commercial programs and announcements (exclusive of network) during the test period.

WSPD broadcast a total of 2,059 commercial programs and announcements (exclusive of network).

KTRI broadcast a total of 1,120 commercial programs and announcements (exclusive of network).

Total: 4,985

Total number of errors, all types:

WSB: 11
WSPD: 6
KTRI: 14
Total: 31

Ratio of Error to Total Commercial Broadcasts: .0062

Total of programs and announcements broadcast without error: 4,954

Percentage of services broadcast without error: 99.38%

Detail of Errors: (Consolidated report from all stations)

Time	*Service Ordered*	*Nature of Error, Explanation*	*Disposition*
4:30 PM	¼-hr. drama	5 seconds lost when Edison power surge caused transmitter to go off air. Time off 4:31.20, time on 4:31.25	Reported to NBC since program was network.
6:00 PM	¼-hr. pgm.	40 seconds lost when tripped main power relay at transmitter; time off 6:13.25, time on 6:14.05.	Reported to local sponsor; no make-good expected.
8:30 PM	35 words	Announcer advised on guide sheet, couldn't find copy at 8:30; found it on floor later.	Phoned advertiser, secured permission to make up on following night.
10:00 AM	35 words	Wrong copy used for local chainbreak. All copy is scheduled up until noon the following day and the 10 AM copy had been put in the line-up the night before. At 9:30 AM, advertiser brought in new copy which was typed and taken back to the announcer, but the announcer through error used the copy which was originally in the line-up.	Explained to local client, make-good offered but declined as client was satisfied with copy used.
1:30 PM	¼-hr. pgm.	Power failure at transmitter in drama portion of program. Time off 1:41.10, time on 1:42.	Reported to client by letter but no reply yet received.
2:15 PM	35 words	This spot is ordinarily scheduled at this time on Wednesday, but Traffic inadvertently missed scheduling it on this date.	Notified national representative in New York same day, offering availabilities, and secured permission to make up at later date.

Time	*Service Ordered*	*Nature of Error, Explanation*	*Disposition*
10:15 AM	60 words	Copy was not received from advertiser in time.	Made up the same day.
8:01 AM	¼-hr. News	Announcer stumbled on two words.	None.
8:59.30 AM	30 words	Poor timing caused announcement to run into following program time.	Following program was sustaining.
8:00 AM	¼-hr. News	Poor production on ET theme operation.	None.
5:44 PM	60 words	Announcer read price wrong but corrected immediately.	Reported to client and make-up spot given the following day.
3:00 PM	60 words	Announcer stumbled over one word.	None.
5:35 PM	30 words	Announcer stumbled over one word.	None.
9:59 PM	30 words	Wrong spot was scheduled.	Reported to client and make-up given the following day.
12:15 PM	20 words	Announcer omitted one word.	Reported to client and make-up given the following day.
7:00 PM	30 words	Delay in start; operator did not have ET cued up.	None.
10:30 AM	60 words	Announcer mispronounced a word.	None.
7:59.30 PM	30 words	Wrong copy given, due to misunderstanding.	Reported to client and make-up given the following day.
5:00 PM	100 words	Announcer missed schedule and read spot at 5:05 PM instead.	Reported to client, who okayed the move.
11:00 AM	30 words	Announcer had to cut mike momentarily to clear his throat.	Reported to client and make-up given the same day.
1:20 PM	1-min. ann.	Preceding program ran long, compressing schedule and wiping out the scheduled availability.	Made up at 2 PM same day. Agency notified of change and reason, and make-good approved.
9:45 AM	1-min. ann.	Misunderstanding of instructions on involved schedule. Wrong announcement run in spot ordered.	Make-good accepted by agency on explanation.
3:45 PM	1-min. ann.	Misunderstanding of instructions on involved schedule. Wrong announcement run in spot ordered.	Make-good accepted by agency on explanation.
3:55 PM	5-min. pgm.	Missed theme and opening commercial because announcer could not locate copy in file.	Station's error; no excuse. Reported to client and charged off.
3:55 PM	5-min. pgm.	Started theme record at 78 r.p.m. instead of 33⅓ r.p.m. Corrected in 5 seconds.	Explained to agency and excused. No adjustment requested.
6:59 PM	1-min. ann.	Two announcers on duty. Each thought the other would handle—an Alphonse-Gaston situation.	Station's error; no excuse. Explained to agency and charged off.
7:29 AM	1-min. ann.	Filter pad in transcription apparatus went bad.	Reported to agency and make-good scheduled.
8:00 PM	Transcribed break ann.	Engineer neglected to tear down the audition hook-up and part of the announcement was missed.	Reported to agency and make-good on comparable spot accepted.
9:59 PM	1-min. ann.	Spot wiped out by last-minute change in network preceding program.	Reported to agency and charged off.
12:14 PM	¼-hr. pgm.	Traffic clerk supplied wrong closing commercial for News program. (Happened on Friday the 13th.)	Station's error, but agency okayed on basis of prompt explanation and acceptability of commercial used.
2:50 PM	1-min. ann.	Spot ran at 2:49 PM because preceding News program ran short one minute. Move resulted from announcer's judgment of the situation.	Explained to agency and approved.

Analysis of 31 Errors:

4 Errors due to transmitter equipment or power failure.
3 Errors due to Traffic Dept.
4 Errors caused by failure in Copy Dept.
11 Errors by announcer (mispronunciation, etc.).
4 Errors by control operator.
1 Advertiser failure to get copy in on time.
1 Cancellation because of network change in program.
3. Combination of circumstances.
31—Total.

* * *

Application of Performance Survey to Spot Broadcasting

Based on this sample survey, the predictable ratio of error in a radio campaign is .0062.

Therefore the advertiser who buys a total of 1,000 spot announcements, for example, may expect to have 99.38% of these announcements broadcast satisfactorily. Out of the entire 1,000 announcements, he may expect some error to be made on *six* of them. But the nature of these errors will vary; some will not adversely affect the commercial value of the spot. Of the errors caught in this survey, only 39% were of such a nature as to render the commercial valueless. Therefore, although six errors are likely to occur in a campaign of 1,000 announcements:

1. Four of these will be of such a nature as hardly to be "errors" at all: mispronunciation of a word; 5-second delay in timing; ET theme improperly cued, etc. Predictably, only two of the six errors will render the announcement valueless.
2. Most, if not all, of these six errors will be detected by the station, reported to the agency or client, and satisfactorily adjusted either by make-good or rebate, with *no loss at all* to the advertiser.

Some clients have purchased the services of commercial checking companies to make sure that their campaigns are broadcast as ordered. The value of such checking services can be questioned on several counts: nature and qualifications of personnel; quality of equipment; judgment of checkers; reliability of reports, etc. The cost of such services varies since it is generally on a piecework basis. But for the sake of illustration, suppose that the cost of the checking service amounts to 2% of the budget for radio time.

Assume that the average rate for the 1,000 announcements on the various stations used is $14.00. Thus the time cost for the campaign would amount to $14,000, and the cost of the checking service would be $280.00.

Based on this sample survey, six errors would be made, and of these, two of the announcements would be rendered valueless—a loss of $28 to the client, *if* neither of the errors was detected and adjusted. If they were, obviously, the client would lose nothing.

Or even suppose (a practical impossibility) that *all six* of the errors were of such a nature as to render the announcements valueless, and that *none* was detected and reported. This would represent a loss to the client of $84.

But the checking service cost $280.00. Furthermore, no checking service will guarantee 100% accuracy in its reports, either quantitatively or qualitatively. Generally, the best that is claimed by checking services is 80% efficiency. Therefore, even if six errors were made, and not detected or reported by the stations, the client might expect to have only five of these reported by the checking service, and a rebate of $70 secured—for a cost of $280.

If, on the other hand, the $280 were invested in additional radio time (instead of in a checking service), this would buy an additional 20 announcements for the client, and would represent a *net gain* in advertising service varying from a maximum of 20 additional announcements to a minimum of 14 additional announcements—and with the probability all in favor of the 20.

Radio stations, as everyone will concede, are eager to render accurate, complete and honest service for every dollar invested in radio time. All possible precautions are taken to that end.

Clients may continue to buy radio advertising, confident that full value will be received. Any radio advertiser who may have spent extra money on a commercial checking service may now be assured, on the basis of this study, that the same amount of money, invested in additional radio advertising, will bring far greater returns.

NOTE TO STATIONS—The above survey can also be of real value to stations as a *performance index* against which to compare your own record. Particular attention should be called to the column showing "Disposition" of errors, indicating the prompt steps to be taken in adjusting all errors to the satisfaction of the client.

Every station is urged to make a similar survey of its own operation, for a period of one month, beginning as soon as possible. Your own survey, when added to this, will give your Sales Department an even more potent sales weapon to be used when needed.

Having done this, we urge you to send your survey to the NAB Department of Broadcast Advertising. The survey printed here, as explained, is a three-station sample; if 100 or more similar studies can be gathered and combined, a more accurate record of the industry as a whole will be available.

With the future of commercial broadcasting as uncertain as it is, and with the industry sailing uncharted wartime seas, it is surely the part of wisdom to take every precaution against possible future attacks from any quarter. Your participation in this study, *now*, may some day help to keep your business going.

Watch Rates on Dealer-Cooperative

(A national sales representative points out that the NAB Dealer-Cooperative Advertising study may be construed as encouragement to grant the local rate to nationally-advertised products. Such was definitely not intended, so we therefore suggest that the following be clipped and pasted to the inside cover of the booklet containing the study, as a reminder to station salesmen.)

The national dealer-cooperative advertising study, based on information supplied by 122 NAB members, was distributed to cooperating stations last week.

Although the study made no specific mention of rates, it should be emphasized that, as always, stations with two rates should invariably apply the national or general rate to nationally-advertised products.

As recommended by the NAB Sales Managers Executive Committee, many stations have adopted the single rate and in these cases there is, of course, no problem. Other stations apply the recommended definition as follows:

> *"Any product or service sold through more than one retail outlet takes the national, or general rate."*

This definition should apply regardless of the source of the business—whether the contract is placed by a dealer, distributor, or factory zone manager, and whether it comes through an agency or not.

If such a rule is not carefully followed, some manufacturers might use their local dealer outlets in an effort to secure a local rate, to which they are not entitled. The NAB Sales Managers Division feels that it has made considerable headway in eliminating chiseling along these lines, and is anxious that none of that ground be lost. Stations are invited to report to the NAB any such efforts that might be made by manufacturers or dealers, so that the matter may be followed up at the manufacturer's home office and agency.

Letters to the Trade

Increasing pressure from agencies for merchandising services can react to the disadvantage of the station, the client, and the dealers, if carried to an extreme. Good judgment must always be exercised by radio merchandising departments in agreeing to, or resisting certain requests.

A case in point is cited by John H. Dodge, sales manager of WRC, Washington, D. C., who writes:

"We have discussed with other stations from time to time how merchandising cooperation extended by stations can be made more helpful to sponsors.

"We believe that all stations are sincere in their efforts to extend reasonable assistance to an advertiser who wishes to make his campaign more effective in the market. But the radio stations, in turn, should expect sincerity also from the agency or client.

"In the matter of 'letters to the trade,' for instance, this type of merchandising is rapidly losing its value. It seems today that all agencies *automatically* request that a letter be sent to their mailing list of druggists or grocers whether the broadcast schedule amounts to station breaks, spot announcements, or programs.

"We have a policy which entitles users of heavy schedules to a letter sent to the trade over our signature. *But if too many letters of this type go out, none of them will be effective.* And it is extremely annoying to stations when the actual value of this type of merchandising immediately loses its importance when it is offered on a cost-plus-postage basis. We are hopeful that the National Association of Broadcasters and its member stations can in some way, in the very near future, expect a change in this situation."

Per-Inquiry and Free Time

Although there has seemed to be a falling-off in the number of attempted chisels during the past few weeks, the per-inquiry and free-time boys are not altogether inactive. Reported this week by stations **are:**

Wind Giro Power Co., Lohrville, Iowa, is seeking P-I deals on behalf of a "health-improvement mechanical massager."

MacFarland, Aveyard & Co., Chicago, is offering free scripts to women's programs, designed to promote the Northwestern Yeast Company's Maca yeast.

Arthur Murray School of Dancing, New York, is circularizing the industry offering to sell his dance book to stations, to be plugged on free time and used as a give-away or premium. But Mr. Murray wants *his* money.

NEW WPB CONSTRUCTION ORDER

The War Production Board on Wednesday issued a new order banning the initiation of any sizeable new construction for the duration. No official interpretation of the order's application to radio construction was immediately available, but there was considerable speculation that the effect of the order would be to ban the construction of new stations altogether.

STATE LEGISLATION

NEW YORK:

S. 1852 (Same as A. 742) (Coughlin) PUBLICATION—RESTRICTIONS—Makes it a misdemeanor to incite, advocate or promote hatred, violence or hostility against any person or group by reason of race, color, religion or manner of worship, by publication, radio broadcast or other means of communication and makes owner of building liable for use as meeting place. Referred to Committee on Codes.

RHODE ISLAND:

H. 875 (Sullivan) OPTOMETRY—ADVERTISING—Amending Chapter 277 of the General Laws, entitled "Licensing and regulation of optometrists and opticians." Limits advertising by optometrists and opticians; requires that they conform to same standards as doctors and physicians. Referred to Committee on Judiciary.

SUGGESTED ANNOUNCEMENTS

Bernard Estes of Station WINS, New York, suggests the following announcements which have won the praise of the OFF:

1. Don't play into the axis' hands by spreading rumors—Your press and radio give you all the true facts of the war.

2. The repeating of rumors plays into the axis partners' hands—Your press and radio give you true facts of the war.

3. The American press and radio give you the true facts of the war. Rumors help the enemy so don't you play into the axis' hands by spreading rumors.

4. Don't become an axis partner by spreading rumors. The American press and radio give you the true facts of the war.

WYOMING RADIO CENSUS

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings Having Radios by County, and Cities of 2500 or More Population—Urban, Rural-Nonfarm and Rural-Farm: 1940*

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Albany	4,139	88.4	3,657	3,113	92.8	2,888	385	68.0	262	641	79.1	507
Big Horn	3,307	83.1	2,747	......	....	......	1,954	89.3	1,745	1,353	74.1	1,002
Campbell	1,795	78.5	1,408	......	....	......	723	85.0	615	1,072	74.0	793
Carbon	3,765	80.0	3,005	1,523	87.3	1,329	1,506	79.4	1,196	736	65.1	480
Converse	1,939	80.8	1,563	......	....	......	1,187	85.7	1,017	752	72.6	546
Crook	1,480	74.6	1,105	......	....	......	554	72.6	402	926	75.9	703
Fremont	4,539	71.7	3,127	1,493	87.2	1,302	912	67.3	614	1,954	62.0	1,211
Goshen	3,101	82.7	2,561	......	....	......	1,463	87.2	1,276	1,638	78.5	1,285
Hot Springs	1,424	77.5	1,105	......	....	......	1,104	76.5	845	320	81.1	260
Johnson	1,516	82.1	1,244	......	....	......	846	85.5	723	670	77.8	521
Laramie	8,180	92.5	7,566	6,351	94.9	6,028	768	87.8	674	1,061	81.4	864
Lincoln	2,552	88.5	2,258	......	....	......	1,712	87.9	1,505	840	89.6	753
Natrona	7,364	88.5	6,515	5,599	90.0	5,040	1,246	90.4	1,126	519	67.3	349
Niobrara	1,720	81.1	1,394	......	....	......	1,115	82.9	924	605	77.7	470
Park	3,087	82.3	2,539	747	90.0	673	948	81.4	772	1,392	78.6	1,094
Platte	2,232	80.7	1,799	......	....	......	1,178	84.9	1,000	1,054	75.8	799
Sheridan	5,427	87.6	4,754	3,185	92.9	2,959	990	83.4	826	1,252	77.4	969
Sublette	816	79.8	651	......	....	......	385	79.9	308	431	79.7	343
Sweetwater	5,583	87.5	4,884	3,610	90.3	3,261	1,713	83.3	1,427	260	75.4	196
Teton	715	82.2	587	......	....	......	455	83.2	378	260	80.5	209
Uinta	1,809	86.8	1,571	1,011	95.7	967	352	72.2	254	446	78.5	350
Washakie	1,443	81.1	1,170	700	79.4	556	190	82.4	157	553	82.6	457
Weston	1,421	78.9	1,121	......	....	......	958	80.1	767	463	76.5	354
Yellowstone National Park (Part)	200	100.0	200	......	....	......	198	100.0	198	2	100.0	2
State Total	69,374	84.4	58,531	27,332	91.5	25,003	22,842	83.2	19,011	19,200	75.7	14,517

CITIES OF 2500 OR MORE POPULATION

City	County	Units	% Radio	Radio Units
Laramie	Albany	3,113	92.8	2,888
Rawlins	Carbon	1,523	87.3	1,329
Lander Town	Fremont	784	85.8	673
Riverton Town	"	709	88.7	629
Cheyenne	Laramie	6,351	94.9	6,208
Casper	Natrona	5,599	90.0	5,040
Cody Town	Park	747	90.0	673
Sheridan City	Sheridan	3,185	92.9	2,959
Green River Town	Sweetwater	723	91.6	662
Rock Springs	"	2,887	90.0	2,599
Evanston Town	Uinta	1,011	95.7	967
Worland Town	Washakie	700	79.4	556

* *Source:* Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Report for Wyoming.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 1,687 Occupied Dwelling Units because answers to the radio question were not obtained in enumeration.

609 BMI RENEWALS

On April 3, 609 stations had renewed their BMI contracts, and BMI had received renewal pledges from 88 others.

In NAB District 1, every station has renewed. Twenty-two states also report 100 per cent renewals.

BMI COOPERATES IN CONTEST

Broadcast Music, Inc., joined with the Pan-American Coffee Bureau and Radio Song Hits Magazine to conduct a nationwide contest for lyrics for a song that would give the coffee-bean a boost. The Coffee Bureau offered the prizes; the magazine printed the offer and the winning lyrics; BMI handled details of the judging and a BMI affiliate will publish the song.

The first prize of $100 went to William B. Edmonston, of Winthrop, Massachusetts, for a number called *Coffee for Three.* His lyrics have been set to music by Betty Cannon, one of the writers of *A Little Bit South of North Carolina.* The completed song will be published within a few weeks by Republic Music Corporation, a BMI affiliate.

Five runner-up prizes went to Vinny Genovese, Danbury, Connecticut; Thelma M. Parker, Bethel, Ohio; Margaret Sampsell, Los Angeles, California; Private First Class Ralph H. Starkel, Fort Clayton, Canal Zone; and H. C. White, Vancouver, British Columbia.

Merritt E. Tompkins, BMI vice-president, acted as Chairman of the Committee of Judges. The other members were Benny Goodman, Tommy Tucker, Sammy Kaye, Shep Fields, Vincent Lopez, Harry James, and Paul Laval, orchestra leaders; Dinah Shore, singer; Emanuel Sacks, of Columbia Recording; Leonard Joy, of RCA-Victor; and M. L. Christen, of Radio Hit Songs Magazine.

CONFERENCE ON SANDERS BILL

The members of the NAB Executive Committee met in New York on Tuesday to discuss with Neville Miller the nature of the presentation which NAB will make to the House Committee on Foreign and Interstate Commerce in connection with the Sanders Bill. The Committee acted purely in an advisory capacity and no other industry matters of a general nature were discussed. Many very helpful suggestions were received and the statement which NAB will make is now in course of preparation.

WCOP CASE

The Supreme Court on Monday, with Justices Douglas and Murphy dissenting, affirmed the power of the United States Court of Appeals of the District of Columbia to stay orders of the FCC pending determination of appeals to that court from Commission orders.

The question was raised on certification by a divided Court of Appeals after Scripps-Howard Radio, Inc., licensee of Station WCOP, had appealed from the Commission's denial of its petition to vacate an order granting, without hearing, Station WCOL a CP for change of frequency and increase of power.

The text of the opinion:

No. 508.—October Term, 1941

Scripps-Howard Radio, Inc.,
vs.
Federal Communications Commission

On Certificate from the United States Court of Appeals for the District of Columbia

[April 6, 1942]

Mr. Justice Frankfurter delivered the opinion of the Court.

This case is here on certificate from the Court of Appeals for the District of Columbia. Judicial Code § 239, 28 U. S. C. § 346. The question certified relates to the power of the Court of Appeals to stay the enforcement of an order of the Federal Communications Commission pending determination of an appeal taken under § 402(b) of the Communications Act of 1934, 48 Stat. 1064, 1093.

The circumstances which induced the Court to certify the question are these: On October 10, 1939, the Commission granted without hearing the application of WCOL, Inc., licensee of Station WCOL, Columbus, Ohio, for a construction permit to change its frequency from 1210 to 1200 kilocycles and to increase its power from 100 to 250 watts. The appellant, Scripps-Howard Radio, Inc., which is the licensee of Station WCOP, Cincinnati, Ohio, operating on a frequency of 1200 kilocycles with power of 250 watts, filed a petition for "hearing or rehearing" requesting the Commission to vacate its previous order and set the WCOL application for hearing. The Commission denied this petition on March 29, 1940, and an appeal followed. In its statement of "reasons for appeal", the appellant claimed that the Commission could not lawfully grant the WCOL application without hearing; that in granting the application the Commission departed from its rules and standards of good engineering practice; that the appellant was entitled to a hearing in order to show that the Commission's action did not serve the public interest since it would result in materially reducing the coverage of Station WCOP and thereby deprive a substantial number of listeners of "the only local regional non-network service" available to them; and that in granting the WCOL application without hearing, the Commission violated the Due Process Clause of the Fifth Amendment.

The appellant asked the Court of Appeals to stay the Commission's order pending the disposition of its appeal. Even though the Court "had consistently over a long period of years, and without objection on the part of the Commission, issued stay orders" in cases where such orders were found to be necessary, the Commission opposed the issuance of a stay order in this case on the ground that the Court was without power to grant a stay. The application was heard before the Court sitting with three judges, which, with one judge dissenting, upheld the Commission's contention. A motion for rehearing before all six members of the Court was granted. The judges being equally divided on the question of the Court's power to grant a stay, the following question was certified to us:

"Where, pursuant to the provisions of Section 402(b) of the Communications Act of 1934, an appeal has been taken, to the United States Court of Appeals, from an order of the Federal Communications Commission, does the court, in order to preserve the status quo pending appeal, have power to stay the execution of the Commission's order from which the appeal was taken, pending the determination of the appeal?"

The Commission suggests that the certificate should be dismissed because of the generality of the question. *Lowden* v. *Northwestern Nat. Bank,* 298 U. S. 160. Read in the light of the preliminary statement certifying the facts which presented the question, *Hill* v. *Wampler,* 298 U. S. 460, 464, the question is limited to the type of order made by the Commissioner in this case. It is therefore sufficiently specific.

The Communications Act of 1934 is a hybrid. By that Act Congress established a comprehensive system for the regulation of communication by wire and radio. To secure effective execution of its policy of making available "a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges", Congress created a new agency, the Federal Communications Commission, to which it entrusted authority previously exercised by several other agencies. Under the Radio Act of 1927, 44 Stat. 1162, the Federal Radio Commission had broad powers over the licensing and regulation of radio facilities. The Mann-Elkins Act of 1910, 36 Stat. 539, gave the Interstate Commerce Commission general regulatory authority over telephone and telegraph carriers. In addition, the Postmaster General was empowered, under the Post Roads Act of 1866, 14 Stat. 221, to fix rates on government telegrams.[1] The Communications Act of 1934 was designed to centralize this scattered regulatory authority in one agency. See Message from the President to Congress, February 26, 1934, Sen. Doc. No. 144, 73d Cong., 2d Sess.; Sen. Rep. No. 781, 73d Cong., 2d Sess., p. 1; H. Rep. No. 1850, 73d Cong., 2d Sess., pp. 3-4.

The provisions for judicial review in the Act of 1934 reflect its mixed origins. Section 402(a) makes the provisions of the Urgent Deficiencies Act of October 22, 1913, 38 Stat. 208, 219, pertaining to judicial review of orders of the Interstate Commerce Commission, applicable to "suits to enforce, enjoin, set aside, annul, or suspend any order of the Commission under this Act (except any order of the Commission granting or refusing an application for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license)". 48 Stat. 1064, 1093. The Urgent Deficiencies Act, which is thus incorporated in § 402(a) of the Communications Act of 1934, provides for review in a specially constituted district court, with direct appeal to this Court. That Act authorizes the district court, in cases "where irreparable damage would otherwise ensue to the petitioner", to allow a temporary stay of the order under review, subject to specified safeguards. 38 Stat. 208, 220.

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[1] A summary of the authority vested in the Federal Radio Commission, the Interstate Commerce Commission, and the Postmaster General, and of the extent to which such authority was actually exercised, is contained in Appendix A, Historical Background of the Communications Act of 1934, of the Monograph of the Attorney General's Committee on Administrative Procedure dealing with the Federal Communications Commission, Sen. Doc. No. 186, 76th Cong., 3d Sess., pt. 3; see also Herring and Gross, Telecommunications, pp. 210-45.

Section 402(b) of the Communications Act of 1934 provides for review of the orders excepted from § 402(a). It gives an appeal "from decisions of the Commission to the Court of Appeals of the District of Columbia in any of the following cases: (1) By any applicant for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license, whose application is refused by the Commission. (2) By any other person aggrieved or whose interests are adversely affected by any decision of the Commission granting or refusing such application." 48 Stat. 1064, 1093. This section follows § 16 of the Radio Act of 1927, 44 Stat. 1162, as amended in 1930, 46 Stat. 844, the relevant portions of which are set forth in the margin.[2] See Sen. Rep. No. 781, 73d Cong., 2d Sess., p. 9; H. Report No. 1918, 73d Cong., 2d Sess., pp. 49-50; remarks of Senator Dill, in charge of the measure in the Senate, 78 Cong. Rec. 8825, and Representative Rayburn, who occupied the same role in the House, 78 Cong. Rec. 10314.

Thus, in both the Radio Act of 1927 and the Communications Act of 1934, orders granting or denying applications for construction permits or station licenses and for renewal or modification of licenses were made reviewable by the Court of Appeals for the District of Columbia.[3] And with respect to such appeals, both § 16 of the Radio Act and § 402(b) of the Communications Act were silent with respect to the power of the Court of Appeals to stay orders pending appeal. It is upon this silence in the Communications Act that the Commission bases its contention, made for the first time when this litigation arose in 1940, that the Court is without such power.

No court can make time stand still. The circumstances surrounding a controversy may change irrevocably during the pendency of an appeal, despite anything a court can do. But within these limits it is reasonable that an appellate court should be able to prevent irreparable injury to the parties or to the public resulting from the premature enforcement of a determination which may later be found to have been wrong. It has always been held therefore, that, as part of its traditional equipment for the administration of justice,[4] a federal court can stay the enforcement of a judgment pending the outcome of an appeal. *In re Claasen,* 140 U. S. 200; *In re McKenzie,* 180 U. S. 536.

Generally speaking, judicial review of administrative orders is limited to determining whether errors of law have been committed. *Rochester Telephone Corp.* v. *United States,* 307 U. S. 125, 139-40. Because of historical differences in the relationship between administrative bodies and reviewing courts and that between lower and upper courts, a court of review exhausts its power when it lays bare a misconception of law and compels correction. *Federal Communications Commission* v. *Pottsville Broadcasting Co.,* 309 U. S. 134, 144-45. If the administrative agency has committed errors of law for the correction of which the legislature has provided appropriate resort to the courts, such judicial review would be an idle ceremony if the situation were irreparably changed before the correction could be made. The existence of power in a reviewing court to stay the enforcement of an administrative order does not mean, of course, that its exercise should be without regard to the division of function which the legislature has made between the administrative body and the court of review. "A stay is not a matter of right, even if irreparable injury might otherwise result to the appellant. *In re Haberman Manufacturing Co.,* 147 U. S. 525. It is an exercise of judicial discretion. The propriety of its issue is dependent upon the circumstances of the particular case." *Virginian Ry.* v. *United States,* 272 U. S. 658, 672-73; see *Warehouse Co.* v. *United States,* 283 U. S. 501, 513-14.

These controlling considerations compel the assumption that Congress would not, without clearly expressing such a purpose, deprive the Court of Appeals of its customary power to stay orders under review. It is urged that such a manifestation appears in the provisions for judicial review contained in the Communications Act of 1934. Specifically, the Commission contends that since § 402(a) incorporates the provisions of the Urgent Deficiencies Act of 1913 which explicitly authorize and regulate the issuance of stay orders, the omission of any reference in § 402(b) to a power to stay orders under review reflects a deliberate Congressional choice to deprive the Court of Appeals of this power.

The search for significance in the silence of Congress is too often the pursuit of a mirage. We must be wary against interpolating our notions of policy in the interstices of legislative provisions. Here Congress said nothing about the power of the Court of Appeals to issue stay orders under § 402(b). But denial of such power is not to be inferred merely because Congress failed specifically to repeat the general grant of auxiliary powers to the federal courts. The Commission argues that the silence of Congress, in view of the legislative history of the Act and the nature of the orders reviewable under the Act, qualifies this general authority and is as commanding as if Congress had expressly withheld from the Court of Appeals the power to stay orders appealed under § 402(b).

The legislative history can furnish no support for this contention. Neither the committee reports nor the hearings nor the debates contain any reference to the power to stay Commission orders on appeal. Significance is found in H. R. 7716, 72d Congress, a bill which was passed by both houses in 1933 but which failed of enactment because of a pocket veto. That bill proposed to amend § 16 of the Radio Act of 1927 so as to vest concurrent jurisdiction (with the Court of Appeals for the District of Columbia) of revocation cases in the circuit courts of appeals, rather than in the district courts. The bill also provided that the reviewing court, whether a circuit court of appeals or the Court of Appeals for the District of Columbia, could enter a stay order "upon the giving of a bond by the party applying for the stay in such amount and with such terms and conditions" as the court deemed proper.

It is suggested that if Congress had intended in the Act of 1934 to authorize the Court of Appeals to issue stay orders in appeals under § 402(b), it would not have remained silent when only the year before it had attempted to enact into law a specific provision conferring that power. But H. R. 7716 and the Communications Act of 1934 were not parallel legislative proposals. The former was not a comprehensive legislative scheme for the unification of federal regulatory authority over communications. It proposed merely to amend the Radio Act of 1927 in several minor particulars. See H. Rep. No. 221, 72d Cong., 1st Sess., p. 7; Sen. Rep. No. 564, 72d Cong., 1st Sess., p. 7; Sen. Rep. No. 1004, 72d Cong., 2d Sess., p. 9. The enactment of the Communications Act of 1934, however, came after a message to Congress from the President on February 26, 1934, recommending the creation of a single authority over communication by wire and radio. Sen. Doc. No. 144, 73d Cong., 2d Sess. Earlier in 1934 an interdepartmental committee had made a study of the entire communications situation. Extensive public hearings on the question of regulating the whole field of communications were held by both the Senate and House Committees on Interstate Commerce. It is obvious, therefore, that what Congress undertook to do by the Communications Act of 1934 was entirely different from what it tried to do the previous year in H. R. 7716.

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[2] "Any applicant for a construction permit, for a station license, or for the renewal or modification of an existing station license whose application is refused by the licensing authority shall have the right to appeal from said decision to the Court of Appeals of the District of Columbia. . . ." 44 Stat. 1162, 1169.

[3] Where the Commission revokes a station license or modifies a license on its own motion, judicial review is available only under § 402(a) of the Communications Act. The reason for this differentiation appears in the following statement of Senator Dill, who steered the bill in the Senate:

"I desire to call attention to what I think is an important fact to consider in this appeal provision. Those owners of radio broadcasting stations living long distances from the District of Columbia should not be required to come to Washington to prosecute an appeal from a decision for which they are not responsible. When I say 'were not responsible' I mean a decision which was granted against them or affecting them when they did not bring the case into court. . . . So we provide that where the decisions of the commission are made in cases wherein the stations took no part in beginning the suits, appeal may be taken in the three-judge district courts in the jurisdictions where the stations are located. But in the case where the applicant for the license or the permit or whatever it may be, comes to the commission and asks for a change in his license or asks for a new license, or asks for something to be done by the commission, then if the commission makes a decision from which he desires to appeal he must make his appeal in the courts of the District of Columbia." 78 Cong. Rec. 8825-26. Cf. Sen. Rep. No. 781, 73d Cong., 2d Sess., pp. 9-10.

Section 16 of the Radio Act of 1927 provided for appeals from revocation orders to either the Court of Appeals for the District of Columbia or the District Court of the district in which the station was located. 44 Stat. 1162, 1169.

[4] Section 262 of the Judicial Code, 28 U. S. C. § 377, empowers the federal courts "to issue all writs not specifically provided for by statute, which may be necessary for the exercise of their respective jurisdictions, and agreeable to the usages and principles of law." This provision appeared in the very first Judiciary Act, 1 Stat. 73, 81-82. Compare District of Columbia Code (1940 ed.) Title 11-208, authorizing the Court of Appeals for the District of Columbia "to issue all necessary and proper remedial prerogative writs in aid of its appellate jurisdiction." 31 Stat. 1189, 1227.

We are told that in drafting § 402 Congress had before it and relied extensively upon H. R. 7716, and reference is made to the citations to that bill in the statement of the House managers. H. Rep. No. 1918, 73d Cong., 2d Sess., pp. 47-49. But whatever reliance was placed upon H. R. 7716 by the framers of the 1934 legislation was without relation to its provisions for judicial review. For in that same statement (p. 47) it is said that "provisions of the Radio Act of 1927 relating to judicial review have been included" in the bill. And, as has previously been noted, even though the Radio Act of 1927 contained no provisions dealing with the authority of the Court of Appeals for the District of Columbia to stay orders of the Commission on appeal, the Court had been issuing stay orders as a matter of course wherever they were found to be appropriate, without objection by the Commission. *Boston Broadcasting Co.* v. *Federal Radio Commission*, 67 F. 2d 505, decided June 19, 1933.

It is indisputable that, at least since 1930, the Court of Appeals has been staying orders both of the Federal Radio Commission, under § 16 of the Radio Act of 1927, and of the Federal Communications Commission, under § 402(b) of the Communications Act of 1934, whenever stays were regarded as necessary. To be sure, in only one case, the *Boston Broadcasting* decision, *supra*, did the Court of Appeals even refer to the granting of a stay order. The explanation is not hard to find. The power to stay was so firmly imbedded in our judicial system, so consonant with the historic procedures of federal appellate courts, that there was no necessity for the Court of Appeals to justify its settled practice.[5]

The considerations of policy which are invoked are as fragile as the legislative materials are inapposite. It is said that the nature of the orders reviewable under § 402(b) makes the grant of a stay order manifestly inappropriate since a stay would in effect involve the judicial exercise of an administrative function. An example is adduced of an appeal from an order denying an application for a construction permit or a station license, or for modification or renewal of a license. Of course, no court can grant an applicant an authorization which the Commission has refused. No order that the Court of Appeals could make would enable an applicant to go on the air when the Commission has denied him a license to do so. A stay of an order denying an application would in the nature of things stay nothing. It could not operate as an affirmative authorization of that which the Commission has refused to authorize. But this is no reason for denying the Court the power to issue a stay in a situation where the function of the stay is to avoid irreparable injury to the public interest sought to be vindicated by the appeal.

The Communications Act of 1934 did not create new private rights. The purpose of the Act was to protect the public interest in communications. By § 402(b)(2) Congress entrusted the vindication of the public interest to persons "aggrieved or whose interests are adversely affected" by Commission action. 48 Stat. 1064, 1093. But these private litigants have standing only as representatives of the public interest. *Federal Communications Commission* v. *Sanders Radio Station*, 309 U. S. 470, 477. Compare *National Licorice Co.* v. *Labor Board,* 309 U. S. 350, 362-63. That a court is called upon to enforce public rights and not the interests of private property does not diminish its power to protect such rights. "Courts of equity may, and frequently do, go much farther both to give and withhold relief in furtherance of the public interest than they are accustomed to go when only private interests are involved." *Virginian Ry.* v. *Federation*, 300 U. S. 515, 552. An historic procedure for preserving rights during the pendency of an appeal is no less appropriate—unless Congress has chosen to withdraw it—because the rights to be vindicated are those of the public and not of the private litigants. Unless Congress explicitly discloses such an intention we should not lightly attribute to it a desire to withhold from a reviewing court the power to save the public interest from injury or destruction while an appeal is being heard. To do so would stultify the purpose of Congress to utilize the courts as a means for vindicating the public interest. Courts and administrative agencies are not to be regarded as competitors in the task of safeguarding the public interest. *United States* v. *Morgan*, 307 U. S. 183, 190-91; *Federal Communications Commission* v. *Pottsville Broadcasting Co.*, 309 U. S. 164. Courts no less than administrative bodies are agencies of government. Both are instruments for realizing public purposes.

It is urged that the orders reviewable under § 402(a), as to which the power to grant stays is undeniable, are intrinsically different from those reviewable under § 402(b). But while the two sections route appeals to different courts, the differentiation was in large measure the product of Congressional solicitude for the convenience of litigants. It had no relation to the scope of the judicial function which the courts were called upon to perform. For example, if the Commission on its own motion modifies a station license, review is had under § 402(a) in the appropriate district court. However, if it grants an application for modification of a license, an appeal lies under § 402(b) to the Court of Appeals for the District of Columbia. Both cases give rise to the same kind of issues on appeal. Both orders are equally susceptible of being stayed on appeal. As the legislative history of the Act plainly shows, Congress provided the two roads to judicial review only to save a licensee the inconvenience of litigating an appeal in Washington in situations where the Commission's order arose out of a proceeding not instituted by the licensee.[6]

Judged by its own terms, its history, and the practice under it, the Communications Act of 1934 affords no warrant for depriving the Court of Appeals of the conventional power of an appellate court to stay the enforcement of an order pending the determination of an appeal challenging its validity. Indirect light is sometimes cast upon legislation by provisions dealing with the same problem in related enactments. No such light is shed here. The numerous laws in which Congress has established administrative agencies for the exercise of its regulatory powers do not disclose any general legislative policy regarding the power to stay administrative orders pending review. Some statutes are wholly silent;[7] some turn a court review into an automatic stay;[8] some provide that the commencement of a suit shall not operate as a stay unless the court specifically so provides;[9] some authorize the reviewing court to grant a stay where necessary.[10] Significantly, the recent Emergency Price Control Act of 1942 explicitly denies the power of the reviewing court to enjoin enforcement of the administrative orders. Pub. Law 421, 77th Cong., 2d Sess.

The various enactments in which the staying power is made explicit, as well as the statutes that are silent about it, afford debating points but no reliable aids in construing the Act before us. One thing is clear. Where Congress wished to deprive the courts of this historic power, it knew how to use apt words—only once has it done so and in a statute born of the exigencies of war.

We conclude that Congress by § 402(b) of the Communications Act of 1934 has not deprived the Court of Appeals of the power to stay—a power as old as the judicial system of the nation. We do not of course go beyond the question put to us. We merely recognize the existence of the power to grant a stay. We are not concerned here with the criteria which should govern the Court in exercising that power. Nor do we in any way imply that a stay would or would not be warranted upon the showing made by the appellant in this case.

The question certified to us is answered in the affirmative.

So ordered.

Mr. Justice Black took no part in the consideration or decision of this case.

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[5] As late as February 23, 1939, the Commission stated its position as follows: "The Commission has not opposed in the past, and does not propose in the future to oppose the granting of a stay or such interlocutory restraining order by this court as may be necessary to protect the appellate jurisdiction of the court or preserve the *status quo* pending determination of an appeal from an order of the Commission, in any case where such a stay or restraining order appears reasonably to be necessary or advisable." Opposition to Petition for Stay Order filed by the Commission in Crosley Corp. *v.* Federal Communications Commission, No. 7351, Court of Appeals for the District of Columbia, Feb. 23, 1939, pp. 1-2.

[6] See note 3, *supra*.

[7] E. g., Commodity Exchange Act of 1922, 42 Stat. 998, 1001, 7 U. S. C. § 9; Radio Act of 1927, 44 Stat. 1162; Railroad Retirement Act of 1937, 50 Stat. 307, 315, 45 U. S. C. § 228k.

[8] E. g., Federal Alcohol Administration Act of 1935, 49 Stat. 977, 980, 27 U. S. C. § 204h; Investment Company Act of 1940, 54 Stat. 789, 844, 15 U. S. C. § 80a-42(b).

[9] E. g., Agricultural Adjustment Act of 1938, 52 Stat. 31, 7 U. S. C. § 1367; Securities Act of 1933, 48 Stat. 74, 80, 15 U. S. C. § 77i; Trust Indenture Act of 1939, 53 Stat. 1175, 15 U. S. C. § 77vvv; Public Utility Act of 1935, 49 Stat. 803, 834, 15 U. S. C. § 79x; Investment Company Act of 1940, 54 Stat. 789, 844, 15 U. S. C. § 80a-42(b); Investment Advisers Act of 1940, 54 Stat. 847, 856, 15 U. S. C. § 80b-13; Fair Labor Standards Act of 1938, 52 Stat. 1060, 1065, 29 U. S. C. § 210(b); Bituminous Coal Act of 1937, 50 Stat. 85, 15 U. S. C. § 836(b); the Natural Gas Act of 1938, 52 Stat. 821, 832, 15 U. S. C. § 717r(c).

[10] E. g., Civil Aeronautics Act of 1938, 52 Stat. 973, 1024, 49 U. S. C. § 228k; Federal Trade Commission Act of 1914, 38 Stat. 719, as amended, 52 Stat. 111, 113, 15 U. S. C. § 45(c) (authorizing the court to issue such writs as "are necessary in its judgment to prevent injury to the public or to competitors pendente lite").

Mr. Justice DOUGLAS, dissenting.

Congress has provided through § 402(a) of the Communications Act of 1934 that in appeals from certain classes of orders of the Federal Communications Commission the appellate court may issue a stay. The order here involved is of a class which is expressly excepted from § 402(a). Sec. 402(b) which provides for an appeal from this class of order contains no provision whatsoever for a judicial stay. Where Congress in one section of an Act has provided for a stay of certain orders but not of others, it has not remained silent on the subject. It has drawn a line. And that line should not be obliterated by us in absence of plain and compelling indications that the purpose of Congress was different from what the face of the statute reveals. There are no such reasons here.

The legislative history gives no comfort to the view of the majority. In drafting § 402 Congress had before it H. R. 7716, 72d Congress. That bill, designed to amend the Radio Act of 1927, had been passed by both houses in 1933 but had failed of enactment because of a pocket veto. Under § 16(f) of that bill orders of the type here in question could be stayed by the appellate court. Congress relied extensively on that earlier bill in drafting § 402. H. Rep. No. 1918, 73d Cong., 2d Sess., pp. 47-49. If Congress had intended the appellate court to have the power to stay this type of order, it hardly seems likely, as the Commission points out, that Congress would have failed to include it, when only the year before it had attempted to write into the statute a specific provision conferring that power. But if we disregard that circumstance and turn to other parts of the legislative history, there are no indications that the line which Congress drew between § 402(a) and § 402(b) was inadvertent or accidental.

Nor are we justified in rewriting the statute to iron out possible logical inconsistencies in the classification of orders which Congress has made in § 402(a) and § 402(b). If we were a legislative committee, perhaps we would not retain in § 402(a) orders which are made by the Commission on its own motion and which modify a station license, since such orders if made pursuant to an application are covered by § 402(b). But to seize on that lack of symmetry here is to miss the forest for the trees. The nature of the run of the orders excepted from the stay provisions of § 402(a) demands respect for the words of the Act. The instant case is a good illustration. *Federal Communications Commission* v. *Sanders Bros.*, 309 U. S. 470, holds that a competitor such as appellant has no private property interest which may be protected on appeal. "The policy of the Act is clear that no person is to have anything in the nature of a property right as a result of the granting of a license." *Id.*, p. 475. Any injury to an existing station as is alleged here "is not a separate and independent element to be taken into consideration by the Commission in determining whether it shall grant or withhold a license." *Id.*, p. 476. Thus it is manifest that the failure of Congress to extend the stay provisions of § 402(a) to the run of orders of this type makes sense. The Urgent Deficiencies Act, which is incorporated into § 402(a), allows a temporary stay "where irreparable damage would otherwise ensue to the petitioner". 38 Stat. 208, 220. But where appeals under § 402(b) (2), as in the instant case, are not shown to involve private rights, analogies to situations where the power to issue a stay is implied because irreparable damage may be done an appellant whose individual interest has been unlawfully invaded are inapposite. For the same reason, statistics as to the presence of this power in statutes of other administrative agencies are irrelevant, in absence of a showing that in the precise situations there involved no private rights were at stake.

And that leads to a related reason why it will not do to lean on "the historic procedures of federal appellate courts" so that an implied power to issue a stay in this type of case may be found. "The office and jurisdiction of a court of equity, unless enlarged by express statute, are limited to the protection of rights of property." *In re Sawyer*, 124 U. S. 200, 210. All constitutional questions aside (*Muskrat* v. *United States*, 219 U. S. 346) we should require explicit, unequivocal authorization before we permitted an appellant who has no individual substantive right at stake in the litigation to obtain a stay to protect the public interest. Repeated attempts of private litigants to obtain a special stake in public rights have been consistently denied. See *Massachusetts* v. *Mellon*, 262 U. S. 447; *Sprunt & Son* v. *United States*, 281 U. S. 249; *Alabama Power Co.* v. *Ickes*, 302 U. S. 464; *Tennessee Electric Power Co.* v. *Tennessee Valley Authority*, 306 U. S. 118; *Atlanta* v. *Ickes*, 308 U. S. 517; *Singer & Sons* v. *Union Pacific R. Co.*, 311 U. S. 295. The attempt to obtain a stay is but another manifestation, albeit oblique, of that same endeavor. Hence, instead of starting from the premise that an "historic power" to issue a stay in this type of case will be readily implied, we should assume just the contrary. Not even long acquiescence or approval on the part of the Commission should lead us to make such a departure from those historic, accepted principles. For that reason alone § 402(b) should be read narrowly and restrictively.

But it is said that Congress entrusted the vindication of the public interest to private litigants. The *Sanders* case properly construed merely means that the Court of Appeals has *jurisdiction* of appeals by a "person aggrieved" or by one "whose interests are adversely affected" by the Commission's decision. § 402(b). But that does not mean that an appellant has a cause of action merely because he has a competing station. Unless he can show that his individual interest has been unlawfully invaded, there is merely *damnum absque injuria* and no cause of action on the merits. *Alabama Power Co.* v. *Ickes, supra; Greenwood County* v. *Duke Power Co.*, 81 F. 2d 986, 999. And see *Duke Power Co.* v. *Greenwood County*, 302 U. S. 485. Congress could have said that the holder of a radio license has an individual substantive right to be free of competition resulting from the issuance of another license and causing injury. In that event, unlike the situation in *Muskrat* v. *United States, supra*, there would be a cause of action for invasion of a substantive right. But as we said in the *Sanders* case Congress did not create such a substantive right. And no facts are shown here which would bring this appeal outside the rule of that case. On that assumption I fail to see how an appeal statute constitutionally could authorize a person who shows no case or controversy to call on the courts to review an order of the Commission. *A fortiori* he would have no standing to obtain a stay.

Furthermore, the power to issue a stay in this type of case cannot be found in the "all writs" statutes. Judicial Code, § 262; District of Columbia Code (1940 ed.) Title 11-208. As we stated in *Federal Communications Commission* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, the relationship between the Court of Appeals and the Commission is not that of federal courts *inter se*. ". . . to assimilate the relation of these administrative bodies and the courts to the relationship between lower and upper courts is to disregard the origin and purposes of the movement for administrative regulation and at the same time to disregard the traditional scope, however far-reaching, of the judicial process. Unless these vital differentiations between the functions of judicial and administrative tribunals are observed, courts will stray outside their province and read the laws of Congress through the distorting lenses of inapplicable legal doctrine." p. 144. The Commission not the courts is the ultimate guardian of the public interest under this Act. The appellate court is limited to a correction of "errors of law". *Id.*, p. 145. The judgment of the Commission not the court determines whether the public interest will be served by an application. *Id.*, pp. 144-145. Hence the power of the courts in this situation to issue writs under the "all writs" statutes should be limited to the protection of its jurisdiction. If, as here, construction of a new station is completed pending appeal by another licensee, the court's jurisdiction is not impaired, though we assume that it has jurisdiction of the appeal and that appellant has a cause of action on the merits. If the Commission has committed an error of law, it must bow to the decree of the court and revise its order. But to allow the court to go beyond that and find an implied power to issue a stay in this type of case is to distort the statutory scheme. 12 Air L. Rev. 224. Jealous regard for the administrative role and function in this field will leave to Congress any enlargement within constitutional limits of the judicial power.

Mr. Justice MURPHY joins in this dissent.

PAUL M. SEGAL (HARRY P. WARNER and GEORGE S. SMITH with him on the brief) for Scripps-Howard Radio, Inc.; THOMAS E. HARRIS, Assistant General Counsel, Federal Communications Commission (CHARLES FAHY, Solicitor General, H. G. INGRAHAM, TELFORD TAYLOR, General Counsel, HARRY M. PLOTKIN, MAX GOLDMAN, and PHILIP M. BAKER with him on the brief) for the Federal Communications Commission.

NEW LABOR SERIES

"Labor for Victory", a new nation-wide radio program through which the American Federation of Labor and the Congress of Industrial Organizations propose to tell how the man in overalls is helping America win the war, will go on the air for the first time April 18. This was announced jointly today by President

William Green of the AFL and President Philip Murray of the CIO.

The "Labor for Victory" program will be carried over the Red Network of the National Broadcasting Company every Saturday night thereafter at the same time—10:15 to 10:30 p. m., EWT.

The radio time is being made available to both labor organizations by NBC as a public service.

This is the first time either labor organization has had the opportunity of presenting its case to the public over a regular radio program. The AFL and the CIO are cooperating closely in a joint effort to make these programs as interesting, informative and constructive as possible. However, each will have its own program, alternating from one Saturday to the next.

President William Green commented:

"Through this program, labor hopes to be able to have a fireside chat with the people of America each week. We want to tell them what the workers of America are doing in the victory production program to speed America's triumph. We feel confident that the American people will be justly proud of their production soldiers when they learn the true story.

"Just as the AFL is cooperating with the CIO on the industrial front to promote all-out war production, regardless of other considerations, so we are working hand-in-hand with the CIO in this radio program to spread the true story about labor's participation in the nation's war effort."

President Philip Murray said:

"The Congress of Industrial Organizations will use this opportunity of a regular radio program for the major purpose of promoting the war effort. It will bring before the public the message of labor and its activities for all-out war production.

"We are most happy to cooperate with the American Federation of Labor in this undertaking and most assuredly will not allow any narrow or partisan considerations to interfere with this presentation of American labor's united and joint efforts for victory."

In a joint statement, Mr. Green and Mr. Murray said:

"We are grateful to the National Broadcasting Company for its patriotic and broad-minded attitude in giving to the millions of organized American wage earners this opportunity to express their viewpoint each week on the air, along with the business and industrial interests that already are represented in the field of national broadcasting."

The "Labor for Victory" program will feature current news commentary, interspersed with interviews with outstanding national and labor figures and with workers from the war production front. The object will be to present the facts in dramatic and realistic fashion.

The program will be conducted for the AFL by its Publicity Director, Philip Pearl, and for the CIO by its Publicity Director, Len DeCaux.

NEWSPAPER OWNERSHIP

The Board of Directors of the American Civil Liberties Union on March 30 adopted this statement of policy concerning the ownership of radio stations by newspapers:

In developing a public policy of promoting freedom on the radio the A.C.L.U. is committed primarily to the proposition that all sides of all public issues should be accorded equal facilities for expression, and that no listeners anywhere should be deprived of access to programs. The Union has been concerned with the claims that ownership of radio stations by newspapers tends to monopolize the channels of communication, and that listeners are thus deprived of hearing the freest possible discussion of controversial public issues. The argument is advanced that since both enterprises are engaged in the business of conveying information and expressing opinions a newspaper should be treated differently from other applicants for radio station licenses.

Such a contention appears to the Union without merit. The fact that newspapers are engaged in dealing with information and opinion should not disqualify them as applicants for radio licenses. But their ownership of radio stations may, under certain circumstances, present an important factor to be considered in appraising "public interest, convenience and necessity",—the FCC's basis for granting and revoking licenses. Extreme care should be taken by the FCC in each case to see that as a practical matter no monopoly in the presentation of news and opinion is created.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 13. They are subject to change.

Wednesday, April 15

NEW—Frequency Broadcasting Corp., Brooklyn, N. Y.—C. P., **45900 kc.**; 8,500 sq. mi.; unlimited time.

Further Consolidated Hearing

NEW—R. O. Hardin and J. C. Buchanan d/b as Nashville Broadcasting Co., Nashville, Tenn.—C. P., **1240 kc.**; 250 watts; unlimited time.

NEW—Tennessee Radio Corp., Nashville, Tenn.—C. P., **1240 kc.**; 250 watts; unlimited time.

Friday, April 17

Further Hearings

NEW—Granite District Radio Broadcasting Co., Murray, Utah.—C. P., **1490 kc.**; 250 watts; unlimited time.

NEW—South Florida Broadcasting, Inc., Miami, Fla.—C. P., **1450 kc.**; 250 watts; unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Granted construction permit to increase power from 1 to 5 KW on their present frequency—**610 kc.**, using directional antenna.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Granted modification (B3-MP-1462) of construction permit (B3-P-2966) for approval of transmitter site at approximately 2 miles north-northwest of Augusta, equipment and directional antenna for night use.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted application (B3-MP-1509) as construction permit for extension of completion date.

KRBA—Red Lands Broadcasting Asso., Lufkin, Tex.—Granted modification of license (B3-ML-1105) to change hours of operation from daytime to unlimited time, using 250 watts night and day.

WINX—Lawrence J. Heller (Assignor), WINX Broadcasting Co. (Assignee), Washington, D. C.—Granted consent to voluntary assignment of license (B1-AL-324) of Station WINX from Lawrence J. Heller to WINX Broadcasting Co.

General Electric Co., Schenectady, N. Y.—Granted construction permit (B1-PST-10) for new ST broadcast station to operate on **343600 kc.**, 25 watts, emission special for frequency modulation; station to be used in connection with FM broadcast station W57A.

WHFC, Inc., Chicago, Ill.—Granted petition for reconsideration and grant of application (B4-PH-36) for a new FM broadcast station to operate on frequency **48300 kc.**; 10,850 miles.

DESIGNATED FOR HEARING

WLAW—Hildreth & Rogers Co., Lawrence, Mass.—Designated for hearing construction permit (B1-P-3119) to increase power from 5 to 50 KW, install a new transmitter, make changes in directional antenna for day and night use and move transmitter to Great Meadow Road, Burlington, Mass.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Designated for hearing construction permit (B1-P-3421) to install a duplicate Western Electric Type 451-A-1 transmitter.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Designated for hearing modification (B2-MP-1489) of construction permit (B2-P-3349) to extend commencement and completion dates to 2-18-43 and 8-18-43, respectively.

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Designated for consolidated hearing with WGAR and WADC applications, construction permit (B2-P-3334) to change frequency to **1480 kc.,** increase power to 1 KW, make changes in transmitting equipment and install directional antenna system for night use. Requests facilities of WGAR; contingent on WGAR going to another frequency.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Designated for consolidated hearing with WHBC and WADC applications, construction permit (B2-P-2692) to change frequency to **1220 kc.,** increase power to 5 KW, unlimited time, using directional antenna.

WADC—Allen T. Simmons, Akron, Ohio.—Designated for consolidated hearing with WGAR and WHBC applications, construction permit (B2-P-3462) to change frequency to **1220 kc.,** increase power to 50 KW; install a new directional antenna for day and night use and move transmitter locally. (Requests facilities of and change of WHBC to **1350 kc.**)

LICENSE RENEWALS

The following stations were granted renewal of licenses on a regular basis for the period ending June 1, 1944:

KFAR, Fairbanks, Alaska; KGFX, Pierre, S. Dak.; KGW, Portland, Ore.; KOAC, Corvallis, Ore.; KSFO, San Francisco; KTSA, San Antonio; KUTA, Salt Lake City; KVOD, Denver; WDEV, Waterbury, Vt.; WEAN, Providence, R. I.; WICC, Bridgeport, Conn.; WILL, Urbana, Ill.; WIS, Columbia, S. C.; WLBZ, Bangor, Maine; WPRO and auxiliary, Providence, R. I.; WWNC, Asheville, N. C.

The following stations were granted renewals on a regular basis for the period ending August 1, 1942:

KFKA, Greeley, Colo.; KPOF, Denver; KPRC, Houston, Tex.; KSEI, Pocatello, Idaho; WAAF, Chicago; WJAR, Providence, R. I.; WLBL, Stevens Point, Wis.; WQAN and auxiliary, Scranton, Pa.

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Granted renewal of license on a regular basis for the period ending April 1, 1944.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted renewal of license on a regular basis for the period ending August 1, 1943.

MISCELLANEOUS

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Granted petition to dismiss application without prejudice for construction permit to operate on **1160 kc.,** 5 KW, directional antenna daytime (B2-P-3126).

KWFT—Wichita Broadcasting Co., Wichita Falls, Tex.—Granted motion for leave to amend application for modification of license, so as to substitute new directional antenna patterns and other technical data; granted on condition that the amendment is filed within ten days; removed application from hearing docket.

S. Brad Hunt, Alton, Ill.—Granted motion to dismiss application for construction permit for new station.

KRBC-WQBC—Reporter Broadcasting Co., Abilene, Tex.; Delta Broadcasting Co., Inc., Vicksburg, Miss., H. C. Cockburn, tr/as San Jacinto Broadcasting Co., Houston, Tex.—Granted petition for leave to amend applications (involving **1470 kc.**) to speci-directional antennas in each case, and removal from hearing docket (hearing now set for April 13, 1942).

WMCA—WMCA, Inc., New York, N. Y.—Denied petition to intervene in re hearing on application of Frequency Broadcasting Corp., Brooklyn, N. Y., for new station to operate on **45900 kc.,** area 8,500 square miles, unlimited time (Docket 6182).

Mosby's, Inc., Anaconda, Mont.—Denied petition to hold hearing at Anaconda, Mont., in re application for construction permit for new station to operate on **1230 kc.,** 250 watts, unlimited time (Docket 5966).

KWBW—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Granted license to cover construction permit authorizing increase in power and changes in transmitting equipment (B4-L-1629). Also authority to determine operating power by direct measurement (B4-Z-1360).

KVOD—Colorado Radio Corp., Denver, Colo.—Granted modification (B5-MP-1530) of construction permit (B5-P-2663) for extension of completion date to 5-29-42.

WTAM—National Broadcasting Co., Inc., Cleveland, Ohio.—Granted authority to determine operating power by direct measurement of antenna input (B2-Z-1373). (Action taken 4/1.)

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted modification of construction permit (B3-P-2788) for extension of completion date to 9/8/42 (B3-MP-159).

WQXR—Interstate Broadcasting Co., Inc., New York City.—Granted modification (B1-MP-1492) of construction permit for extension of completion date to 4/1/44.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification of construction permit as modified for change in frequency, increase in power, installation of directional antenna and move of transmitter, for extension of completion date from April 6 to July 6, 1942 (B3-MP-1511).

KROD—Dorrance D. Roderick, El Paso, Tex.—Granted license to cover construction permit to install new transmitter (B3-L-1631).

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted license to use old RCA 1-G transmitter as an auxiliary transmitter with power of 1 KW, for emergency use only (B1-L-1595).

The National Life and Accident Insurance Co., Nashville, Tenn.—Granted construction permit for new relay broadcast station; **56750, 158400, 159300, 161100 kc.;** 40 watts (B3-PRE-422).

W49D—John Lord Booth, Detroit, Mich.—Granted modification of construction permit as modified for new high frequency broadcast station, for extension of completion date only, from April 11 to October 11, 1942 (B2-MPH-77).

K59L—Columbia Broadcasting System, Inc., St. Louis, Mo.—Granted modification of construction permit for new high frequency broadcast station, for extension of completion date only, from April 18 to October 18, 1942 (B4-MPH-79).

W63NY—Marcus Loew Booking Agency, New York, N. Y.—Granted modification of construction permit as modified for new high frequency broadcast station, for extension of completion date from April 11 to July 10, 1942 (B1-MPH-78).

W75NY—Metropolitan Television, Inc., New York, N. Y.—Granted modification of construction permit as modified for new high frequency broadcast station, for change in type of transmitter only (B1-MPH-64).

KFRE—J. E. Rodman, Fresno, Calif.—Granted license (B5-L-1597) to cover construction permit for a new station to operate on **1340 kc.,** 250 watts, unlimited hours, and change studio location from Southwest Corner Clinton and North First Streets, Fresno, to T. W. Patterson Bldg., Tulare and Fulton Streets, Fresno. Also authority to determine operating power by direct measurement of antenna power (B5-Z-1332).

W3XWT—Allen B. DuMont Labs, Inc., Washington, D. C.—Granted modification (B1-MPVB) of construction permit for new television station for extension of commencement and completion dates from 9-27-41 and 3-26-42 to 6-26-42 and 12-26-42, respectively.

WPTZ—Philco Radio & Television Corp., Philadelphia, Pa.—Granted modification (B2-MPCT-13) of construction permit (B2-PCT-4) for new commercial television station, for extension of completion date from 4/1/42 to 10/1/42.

WTZR—Zenith Radio Corp., Chicago, Ill.—Granted modification of construction permit which authorized new commercial television station, for extension of commencement and completion dates from October 12, 1941, to April 12, 1942, and from April 12, 1942, to October 12, 1942, respectively (B1-MPCT-10).

KTSL—Don Lee Broadcasting System, Hollywood, Calif.—Granted modification of construction permit which authorized new commercial television station, for extension of completion date from April 12 to October 12, 1942 (B5-MPCT-11).

WNYE—Board of Education, City of New York, Brooklyn, N. Y. —Granted modification of construction permit as modified which authorized change in frequency, power, emission and equipment, for extension of completion date from April 20 to October 20, 1942 (B1-MPED-9).

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted modification of construction permit as modified which authorized increase in power, move of transmitter, new transmitter and install directional antenna, for extension of completion date from April 8 to August 8, 1942 (B1-MP-1536).

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification of construction permit as modified for increase in power, install directional antenna for night use, change to NARBA frequency, for extension of completion date from April 15 to June 15, 1942 (B3-MP-1546).

WISE—Radio Station WISE, Inc., Asheville, N. C.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1365).

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1367).

WKIP—Poughkeepsie Broadcasting Corp., Poughkeepsie, N. Y.—Granted authority to determine operating power by direct measurement of antenna input (B1-Z-1368).

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn. —Granted authority to determine operating power by direct measurement of antenna input (B4-Z-1374).

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted authority to determine operating power by direct measurement of antenna input, on special temporary authority (B5-Z-1366).

WABD—Allen B. DuMont Labs, Inc., New York City.—Granted modification (B1-MPCT-14) of construction permit (B1-PCT-6) authorizing new television station, for extension of completion date from April 6 to Oct. 6/42.

WBEZ—Board of Education, City of Chicago, Chicago, Ill.—Granted modification (B4-MPED-10) of construction permit (B4-PED-22) for new commercial educational broadcast station, for extension of completion date from March 29 to July 1, 1942.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Affirmed the action of the Presiding Commissioner of Motions Docket on March 27 denying petition of WTCN for an indefinite postponement of the further hearings on applications of WTCN, WHB, Kansas City, Mo., and Park Cities Broadcasting Corp., Dallas, Texas, for construction permits (Dockets 5859, 6022, 5967, respectively); denied petition of WTCN for review by the Commission en banc of said action of Presiding Commissioner.

WOW—Woodmen of the World Life Insurance Society, Omaha, Nebr.—Denied petition for rehearing filed by WOW directed against the Commission's action of November 25, 1941, granting without hearing the application of WKZO, Inc. (Station WKZO, Kalamazoo, Mich.), for construction permit to make changes in its directional antenna and increase power at night from 1 to 5 KW on frequency **590 kc.**

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Authority to determine operating power by direct method.

810 Kilocycles

NEW—Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane, d/b as Hoosier Broadcasting Co., Indianapolis, Ind.—Construction permit for a new broadcast station to be operated on **810 kc.**, 250 watts, daytime hours. Amended: to request 1 KW.

920 Kilocycles

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va. —Modification of construction permit (B2-P-2913) as modified, for changes in directional antenna system and increase in power, requesting extension of completion date from 4-30-42 to 10-31-42.

1020 Kilocycles

KDKA—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—License to cover construction permit (B2-P-3423) for changes in equipment.

1030 Kilocycles

WBZ—Westinghouse Radio Stations, Inc., Boston, Mass.—License to cover construction permit (B1-P-3419) for changes in equipment.

1220 Kilocycles

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Construction permit to make changes in equipment, changes in directional antenna for day and night use, change frequency from **1480** to **1220 kc.**, power from 1 KW night, 5 KW day, to 50 KW and move transmitter. Amended: to omit request for move of transmitter, change type of transmitter, change requested power from 50 to 5 KW and make changes in directional antenna for day and night use.

1240 Kilocycles

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—Authority to transfer control of licensee corporation from Howard S. Frazier and W. Burley Frazier to Elmer H. Wene through sale of 603 shares of common stock.

1280 Kilocycles

WOV—WODAAM Corporation, New York, N. Y.—Authority to transfer control of corporation from Arde Bulova and Harry D. Henshel, to Murray Mester and Meyer Mester, by transfer of 600 shares Class B stock (and 20% of Class B stock owned by BIOW Broadcasting Corp.).

1330 Kilocycles

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—License to cover construction permit (B1-P-2955) as modified for installation of directional antenna for day and night use, new transmitter, increase in power and move of transmitter.

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Authority to determine operating power by direct method.

1400 Kilocycles

WRDO—WRDO, Inc., Augusta, Maine.—Construction permit to increase power from 100 watts to 250 watts, install new transmitter and antenna and move transmitter.

1420 Kilocycles

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Special service authorization to operate on **1010 kc.**, 5 KW night, 10 KW day, directional antenna night, using transmitter authorized in construction permit (B3-P-3049) as modified and make changes in present directional night for night use.

1450 Kilocycles

WASK—WFAM, Inc., Lafayette, Ind.—Modification of license to move studio from Part E ½ NW¼ Sec. 20, Twp. 23, N. Range 4W, near Lafayette, Ind., to 4th and Ferry Sts., Wallace Bldg., Lafayette, Ind.

1480 Kilocycles

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Construction permit to make changes in transmitting equipment, install directional antenna for night use, change frequency from **1230** to **1480 kc.**, increase power from 250 watts to 1 KW. (Facilities WGAR, contingent WGAR changing frequency.) Amended: to change type of transmitter.

FM APPLICATION

W39B—The Yankee Network, Inc., Boston, Mass.—Modification of construction permit (B1-PH-13) as modified for a new high frequency broadcast station, requesting commencement and completion dates from 10-27-41 and 4-25-42 to 4-25-42 and 120 days thereafter, respectively.

TELEVISION APPLICATIONS

NEW—Hughes Productions, Division of Hughes Tool Co., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station (formerly W6XHH) to be operated on Channel #2, **60000-66000 kc.**, ESR: 500; Coverage: 3,550 square miles; Population: 2,851,997.

NEW—Hughes Productions, Division of Hughes Tool Co., San Mateo County, Calif.—Construction permit for a new commercial television broadcast station (formerly W6XHT) to be operated on Channel #2, **60000-66000 kc.**, ESR: 740; Coverage: 3,760 square miles; Population: 1,548,646.

MISCELLANEOUS APPLICATIONS

KEHC—Topeka Broadcasting Assn., Inc., Mobile.—License to cover construction permit (B4-PRY-256) which authorized changes in equipment, frequencies and increase in power from 10 to 50 watts.

NEW—The Associated Broadcasters, Inc., Area San Francisco, Calif.—License for a new special relay broadcast station, using already licensed equipment (KRSA) to be operated on **1622, 2058, 2150** and **2790 kc.**, power 5 watts, Emission A3.

KRSA—The Associated Broadcasters, Inc., Area San Francisco, Calif.—License to cover construction permit (B5-LRY-261) for a new relay broadcast station.

NEW—Larus and Brother Co., Inc., S. E. of Richmond, Va.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 35 watts, A3 emission.

WEMV—The WGAR Broadcasting Co., Portable-Mobile.—Construction permit to make changes in equipment, change in frequencies from **156075, 157575, 159975** and **161925** to **156750, 158400, 159300** and **161100 kc.** and change emission from A3 to special for frequency modulation.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Automatic Electrical Devices Co., 324 East Third St., Cincinnati, is charged, in a complaint, with misrepresentation in the sale of devices designed to generate ozone by the passage of electricity through air which is disseminated through rooms or enclosures in which the devices are placed, or through water. (4741)

Lechler Laboratories—An amended and supplemental complaint filed against Erwin Lechler, trading as Lechler Laboratories, 560 Broadway, New York, charges that advertisements he disseminated concerning a hair dye designated "569 Moorish Strate-Black" were false in that they failed to reveal the harmful potentialities of the preparation. This allegation was not made in the original complaint. (4081)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Euclid Rubber & Manufacturing Company—An order to cease and desist from unfair and deceptive acts and practices in the sale of electrical devices has been issued against Frank G. Huntington and Herman Pusterhofer, trading as Euclid Rubber & Manufacturing Co., 19730 Tyronne Ave., Cleveland, Ohio. (4394)

Indianapolis Soap Co. and Williams Soap Co., 901 High St., Indianapolis, and the officers of the two corporations, Jesse M. Daily, Robert S. Daily and Sidney F. Daily, Jr., have been ordered to cease and desist from misrepresentation in connection with the sale of soap.

The order directs the respondents to discontinue representing, by the use of fictitious price marks or in any other manner, that their soaps have retail prices in excess of the prices at which such products are regularly sold at retail. (3971)

Stanley Laboratories, Inc.—An order has been issued directing Stanley Laboratories, Inc., Portland, Oreg., and its president, Edward A. Bachman, to cease and desist from disseminating false advertisements in connection with the sale of a feminine hygiene product designated "M. D. Medicated Douche Powder." Bachman also trades as Stanley Laboratories. (4130)

Wamill Quilt Factories—Misrepresentation in connection with the sale of quilts, comforts or bedding is prohibited under an order issued against Walter L. Miller, trading as Wamill Quilt Factories, 1026 17th St., Denver, Colo. (4108)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Archer-Daniels-Midland Co., Roanoke Building, Minneapolis, entered into a stipulation to discontinue certain representations in connection with the sale of "ADM Wheat Germ Oil," a product having a high content of Vitamin E. The respondent agrees to discontinue representing that "ADM Wheat Germ Oil" is a competent remedy or effective treatment for nervousness, lack of vitality, hay fever or dandruff, or that it will prevent colds; that it can be depended upon to overcome sterility of farm animals; that its use assures strong, healthy calves, larger and stronger litters of pigs, or increased egg production; and that the rations ordinarily fed to farm animals and poultry are deficient in Vitamin E. The respondent also agrees to cease and desist from representing that the use of wheat germ oil or Vitamin E produced by the solvent extracted process causes or may cause cancerous growths, or from any other representation which unwarrantedly disparages competitive products. (3445)

Bessemer Health Products and as Bessemer Chemical Co., 181 N. E. 80th Terrace, Miami, Fla., stipulated that he will cease representing that the medicinal preparation he sells under the name of "Odoform" is valuable in the treatment or cure of gout, rheumatism, dropsy, paralysis, skin and blood disorders, diabetes, indigestion, or kidney and bladder troubles, and that "Odoform" baths surpass world-renowned mineral baths. The respondent also agrees to discontinue representing that "Odoform," when used as directed, is antiseptic or prophylactic or has sterilizing properties. (02968)

Classy Leather Goods Corp., 6 East 32nd St., New York, engaged in manufacturing imitation leather handbags for women, entered into a stipulation to cease and desist from the use in advertising matter or trade literature, either with or without contradictory explanation, of words or terms such as "Calf," "Calf Grain," "Buffalo Grain," "Alligator," "Pig Grain" or "Pigtex" to designate articles not actually made of the leathers so implied. The stipulation provides that if the name of a leather be used properly to describe only the surface, grain or appearance of such leather, then such word shall be immediately accompanied, in type of equal size and prominence, with other words clearly indicating that the designation refers only to the pattern or semblance of such material and not to the substance. (3447)

Dexter Co., Fairfield, Iowa, stipulated to cease representing that its product, the Dexter washing machine, is backed by a gold bond, carries a lifetime guarantee, holds the world's record for quick washing, or washes clothes 20 percent cleaner than any other washing machine. (02967)

R. M. Hollingshead Corp., Camden, N. J., stipulated cease representing that its motor tune-up preparation designated "Whiz Motor Rythm" guarantees the starting of an automobile engine in freezing weather or at all, and that the preparation when used as a lubricant anti-freeze, permits motor oil and gear lubricants to flow freely at 40 degrees below zero or any other specified temperature, when such is not a fact established by competent test by a well equipped impartial establishment. The respondent corporation further agrees to cease advertising that its product will restore old cars to their former power and efficiency and that one quart of Motor Rythm oiliness base has lubricating value equal to that of 65 quarts or any other quantity of motor oil that has not been established by test made by a competent impartial establishment. (02966)

Home Recording Co., 9 East 19th St., New York, stipulated that he will discontinue certain representations in connection with the sale of a device designated "Home Recordo," designed to record and reproduce from phonographic records the human voice and musical and other sounds. (3441)

Illinois Water Treatment Company—Selling an apparatus for chemically treating ordinary city or well water Illinois Water Treatment Co., 840 Cedar St., Rockford, Ill., in a stipulation agrees to cease using the word "Still" as part of the name "Illco Still," the brand name for its product, or otherwise representing that the apparatus is a still. The respondent company also agrees that in its future advertising it will cease employing the word "distilled" as descriptive of any water or fluid treated by its apparatus, or using any words implying or representing that water or fluid so treated is distilled. (02964)

Janalene, Inc., 546 South Meridian St., Indianapolis, stipulated that it will discontinue representing, pictorially or otherwise, that it designs and manufactures the dresses, lingerie or other wearing apparel it sells, unless it actually is the designer and manufacturer of such merchandise. (3444)

Luden's, Inc., Reading, Pa., candy manufacturer, has entered into a stipulation to cease and desist from the use of the word "Certified," either alone or with other words, to imply that the merchandise so designated has been tested and approved by an adequately equipped independent organization or agency engaged in the business of conducting impartial tests of the character indicated, when actually such merchandise has not been so tested and approved. (3442)

Pickgan Labrofacts, Inc., 250 East 43rd St., New York, entering into a revised stipulation concerning advertisements of its medicinal tablets designated "Allay," agrees to cease representing, through use of the word "pain" unqualified to indicate the types of pain for which the preparation normally will afford some measure of relief, that Allay has any appreciable effect upon persistent and frequently recurring pain; that it is safe for use and affords a new method for relieving pain; that it commences to act in three seconds after the tablets are taken; and that it has any efficacy in preventing development of colds or is an effective cold remedy. (01906).

Presto Products Company—A. H. Graenser and Peter B. Kobeliansky, trading as Presto Products Co., 4650-H Chene St., Detroit, entered into a stipulation to cease certain representations in the sale of "Presto Liquid Weld," known as a "stop-leak" or cement. The respondents stipulate that they will cease representing, by designation of the product as a weld or by use of the word weld in the product's name, that it is a weld. They agree further to cease advertising that the product effects a permanent repair. (02965)

Reardon Products Co. and as Grafize Products Co., William L. Reardon, 605 Fourth St., Peoria, Ill., manufacturer of "Dry-Lube" tablets, which allegedly improve lubrication when used with gasoline, motor oils and greases, stipulated that he will discontinue representing that such product has "captivated the motoring world" or offers an opportunity to "share in a vast profit bonanza" to agents who sell the product, when actually it is not so widely known and in such demand by motorists as represented. The respondent further stipulates he will cease representing that persons selling "Dry-Lube" tablets can make profits in excess of the average net profits consistently made by his agents in the ordinary course of business under normal conditions. (3446)

Shwayder Brothers, Inc., 1050 South Broadway, Denver, Colo., manufacturer of "Samson" card tables, has entered into a stipulation to cease and desist from using, or placing in the hands of others for their use, fictitious price labels or markings on such tables; or representing as the customary retail price of the tables, prices which are in fact fictitious and in excess of the prices at which such tables are regularly sold at retail. (3440)

E. E. Taylor Corp., 275 Congress St., Boston, which operates a shoe factory at Augusta, Maine, in a stipulation entered into agrees to discontinue branding its shoes with any words usually associated with the British Isles so as to imply that such shoes are of British origin. According to the stipulation, the respondent branded shoes of its own manufacture with the words "Cross & Cross Custom Boots Southampton" or "Churchill, Ltd., London." (3439)

Themes-Perfumers—Theodore W. Messick, trading as Themes-Perfumers, 601 Walnut St., Camden, N. J., has entered into a stipulation to cease and desist from the use of the word "French" to designate a perfume made in the United States, and from the use of any word or term of like import which may tend to cause the belief that such merchandise was manufactured in France or other foreign country. According to the stipulation, the respondent sold a domestic perfume under the brand name "French Bouquet." (3443)

FTC CASES CLOSED

The Federal Trade Commission accepted from Philip Adler, Jr., Indianapolis, trading as American Mills, American Hosiery Mills, and American Silk Hosiery Mills, a stipulation to discontinue certain representations in the sale of silk hosiery.

Representations similar to those covered by the stipulation were involved in a complaint previously issued by the Commission against the respondent Adler. Upon accepting the stipulation, the Commission closed the case growing out of the complaint, without prejudice to its right to reopen proceedings, should future facts so warrant.

Under his stipulation, the respondent Adler agrees to cease representing, among other things, that he gives silk hosiery free to anyone under any circumstances, unless such shall be the fact; that he will pay up to $22 a week or any other amount to persons who merely demonstrate the value of the hosiery he sells and will send demonstrating equipment free to anyone; that the respondent's chiffon silk hose are snag-proofed or snag-protected; and that the respondent's hose are made of 100 per cent pure silk, so long as any other thread enters into the construction of any part of the hose.

The respondent Adler further agrees to cease representing that the thread used in the manufacture of the hosiery is more tightly twisted, smooth and snag-resistant than is actually true, or that the hosiery's wearing qualities are greater than they actually are.

The respondent also stipulates he will cease representing that the factory which he owns and operates is larger than it really is.

The Commission entered an order closing its case against The Griffith Laboratories, Chicago, which had been charged in a Commission complaint with misrepresentation in the sale of a meat curing preparation designated "Prague Powder."

The case was closed without prejudice after the respondent entered into a stipulation with the Commission to cease and desist from practices similar to those charged in the complaint.

Under the stipulation, the respondent agrees to discontinue representing, among other things, that "Prague Powder," of itself, makes hams or bacon tender and is essential to the safe, economical production of tender hams; that it is the only meat cure prepared and marketed in powdered form; that it constitutes a guarantee against sour bones or putrefaction; and that the respondent originated the artery-pumping method of placing the cure in hams.

The Commission also entered an order dismissing its complaint which charged O. R. Pieper Co., 158 North Broadway, Milwaukee, with violation of the Federal Trade Commission Act in connection with the sale of coffee.

NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 16, April 17, 1942

NAB Asks Protection of Industry's Rights; Fights Tax

The NAB went to bat for you this week before two Congressional committees.

Before the House Interstate Commerce Committee, Neville Miller asked for three amendments to the Federal Communications Act which would protect rights which we think Congress has always intended that you should have.

Before the House Ways and Means Committee, Ellsworth Alvord, our tax counsel, urged the members to throw out a proposal by the printing trades unions that radio time sales be subjected to a special penalty tax ranging from 5 to 15 per cent.

The proposed amendments to the Communications Act would:

(1) Specifically forbid the FCC to interfere with radio programs or business management.

(2) Forbid the FCC to impose various penalties not authorized by law. This would stop the FCC, for instance, from forcing the owner of two stations in a single community to dispose of one before he could get authorization for a power increase for the other.

(3) Provide for declaratory rulings by FCC which could be appealed to courts. This would permit station owners to appeal FCC rules, regulations and orders to the courts before they become effective. This would prevent the FCC from taking away station licenses for failure to comply with FCC actions before the courts had passed upon the validity of those actions.

Mr. Miller also endorsed, in principle, the procedural amendments previously proposed by the Federal Communications Bar Association. He appeared at hearings on an amending bill introduced by Representative Sanders (D.-La.).

In drafting the amendment to bar the FCC from interfering with radio programs or business management, Mr. Miller merely took the language of a Supreme Court decision on that issue. It said, in part:

> "But the Act does not essay to regulate the business of the licensee. The Commission is given no supervisory control of the programs, of business management or of

(Continued on page 216)

DCB Recommends Ban on All Construction

The Defense Communications Board on Thursday recommended to the War Production Board and the Federal Communications Commission that with regard to the construction of radio broadcast facilities there be immediately placed into effect the following policy:

No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any Standard Television, Facsimile, Relay or High Frequency (FM, Non-Commercial Educational, Experimental) broadcast station.

Convention Program

Plans for the Twentieth Annual NAB Convention are rapidly maturing. While all of those who have been invited to participate on the program have not as yet indicated acceptance, the convention is assured of a most interesting lineup of speakers.

Sunday, May 10, the day preceding the actual opening of the convention, many of the NAB Committees and the Board of Directors will hold meetings.

The convention gets under way with the first business session at 10:30 a.m. on Monday, May 11. The keynote for the convention is "Radio and the War" and Archibald MacLeish, Director of the Office of Facts and Figures, and Byron Price, Director of Censorship, will sound the keynote. Following this will be an Informa-

(Continued on page 217)

The National Association of Broadcasters Reports

1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

NAB ASKS PROTECTION

(Continued from page 215)

> policy. In short, the broadcasting field is open to anyone, provided there be an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment, and financial ability to make good use of the assigned channel."

"Notwithstanding this pronouncement of the Supreme Court and notwithstanding the fact that no language can be found in the Act which confers any right upon the Commission to concern itself with the business phases of the operation of radio broadcast stations, we find the Commission concerning itself more and more with such matters," Mr. Miller told the Committee.

"This it has done by requiring all licensees to file with the Commission voluminous reports showing in the minutest detail practically every phase of their financial operations. It has also by regulation required the filing of practically all contracts relating to the acquisition and broadcast of various types of program material. But further than this, it has attempted by regulation to control the source, and consequently the character, of program material and the contractual or other arrangements made by the licensee for the acquisition of such material."

FCC discrimination against newspaper owners of radio stations was cited by Mr. Miller as one reason for the need of an amendment to prevent unauthorized penalties by the FCC.

"For a period of time applicants for broadcast facilities who were also identified with newspapers or newspaper activities have been discriminated against by the Commission," he said. "In some cases this discrimination may have been justified because of the facts of a particular case, but that is not the point in issue. The point in issue is that notwithstanding the fact that the Act contains no authority for such action and notwithstanding the further fact that the United States Court of Appeals for the District of Columbia has twice pointed this out, the Commission has nevertheless continued to discriminate against newspaper applicants as a class and has withheld facilities from such applicants to which they were otherwise entitled.

"Sometimes this discrimination has been effected by adverse action upon particular applications; sometimes by merely holding applications without action. But in practically all cases where newspaper or newspaper interests have made application for new or increased facilities, they have been confronted with action of this sort."

In summarizing the need for the amendments, Mr. Miller said:

The problem of the broadcasting industry today can be summed up in one word "uncertainty"; uncertainty of right—uncertainty of remedy—and uncertainty of future. We appreciate, of course, that due to the declaration of war and the accompanying readjustments in our national life, there is no industry and, in fact, no individual that is wholly free from uncertainty. But our's is an uncertainty wholly unrelated to war. Our problem existed before the war and will exist throughout the war and at the end of the war, unless Congress clarifies the relationship between government and the industry. Allow me to briefly outline the various aspects of the problem.

There is great uncertainty as to the power of the Commission, due to the indefinite grant of power given the regulatory body, contained in the phrase "public interest, convenience or necessity."

In 1927 when the act was passed, radio was in its infancy, and the Congress wisely decided not to pass any law which would hinder the growth of this new science. The phrase "public interest, convenience or necessity" was used in the utility field where the powers of regulation were broad and general, and it was thought wise to employ that phrase for radio at least for a time. Its meaning was undoubtedly well understood at that time, but over a period of years that meaning has become ambiguous and its confines have lost clear outline. Due to the indefiniteness of the law there is forever pressure upon the Commission to assume powers far beyond those granted by the Congress to a regulatory commission. Moreover, as I shall presently demonstrate, there is no way today by which a broadcaster can challenge the assertion of authority by the Commission on many of its acts without risking the loss of his license.

Then again, the penalty which can be meted out for a single offense is too severe. It is perfectly possible for a broadcaster to lose his license for a single mistake which does not involve wilful misconduct, which might in fact represent just one small slip of the tongue or of the pencil in the hand of a news script writer. I believe that the punishment should most certainly fit the crime, but since it is almost impossible to operate over a length of time without some technical violation, I believe that no license should be revoked for a single violation, but only for over-all and wilful continuous violation and defiance.

Recently the Commission has initiated hearings concerning the ownership of radio stations by newspapers, notwithstanding the fact that the Act contains no authority to permit any discrimination against such ownership, and notwithstanding the further fact that the court pointed this out before the hearings started, and has again pointed it out in the recent Stahlmann case. The Commission has initiated hearings on multiple ownership, network structures, network station relationship; and, there is a general tendency on the part of the majority of the Commission more and more to invade the field of business management and program content. There is a very serious question of the Commission's power to take any action in these and other fields, certainly questions of fundamental policy are involved which were not definitely settled in the Commission's favor by the Act of 1927, or the Act of 1934, and such questions of policy should be settled by the Congress and not by any administrative agency.

All these actions of the Commission, plus the uncertainties above mentioned, have produced a condition which threatens the very freedom of radio. I do not want to be misunderstood. I do not say that the Commission has made any attempt at direct censorship in violation of Section 326 of the Communications Act, but I do say that there is always a direct threat of censorship in any system of licensing, and this thought was well expressed in *Thornhill* v. *Alabama,* decided April 22, 1940, (310 U. S. 88), when the Court said:

> "The power of the licensor against which John Milton directed his assault by his 'Appeal for the Liberty of Unlicensed Printing' is pernicious not merely by reason of the censure of particular comments, but by reason of the threat to censure comments on matters of public concern. It is not the sporadic abuse of power by the censor, but the pervasive threat inherent in its very existence that constitutes the danger to freedom of discussion."

I emphasize this point because I believe that freedom of thought, freedom of discussion, freedom of the press and of speech,—yes, freedom of radio—form the cornerstone of democracy. It is and always has been recognized that the rights of free men can only be guaranteed through the free play of ideas and through the right to criticize the action of those placed in temporary authority of office. Except in the case of violent revolution, the rights of citizens are never taken away abruptly, but little by little essential rights are plucked away if protests and remedial measures are not made.

Further, freedom or radio becomes academic without economic freedom. Today the networks are not only threatened with the loss of their stations, but uncertainty underlies the whole basis of network station relationship. An investigation challenging the right of newspaper interests to own radio stations has been initiated by the Commission, and today newspapers are threatened with the possible loss of their licenses; it is possible that insurance companies' right to hold a license may be threatened tomorrow, department stores next week, and so on down the line. These new policies of discrimination are being enacted into law by an administrative agency without the slightest warrant either in the language found in the statute or in the legislative history. No business can grow and prosper under such a condition.

It is to eliminate this uncertainty, to settle these basic policies and to definitely define the Commission's power, both for the benefit of the broadcaster and so that the Commission can better function, that legislation is needed.

This need for legislation was recognized by President Roosevelt when, on January 21, 1939, he wrote the Chairman of this Committee and the Chairman of the Senate Committee, as follows:

> "Although considerable progress has been made as a result of efforts to reorganize the work of the Federal Communications Commission under the existing law, I am thoroughly dissatisfied with the present legal framework and administrative machinery of the Commission. I have come to the definite conclusion that new legislation is necessary to effectuate a satisfactory reorganization of the Commission.
>
> "New legislation is also needed to lay down clearer congressional policies on the substantive side—so clear that the new administrative body will have no difficulty interpreting them or administering them."

In drafting this new legislation, although I urge you to end the uncertainty to which I refer, may I also remind you that radio is still a developing art, there are new developments coming over the horizon—frequency modulation, television and facsimile, to mention but a few—and care should be taken to allow for the future growth and development of an art and science which is yet in its infancy.

Certainly we are entitled to have our rights clarified and protected. That is the minimum to which every American business is entitled.

Time Sales Tax Opposed

John B. Haggerty, president of the International Allied Printing Trades Association, proposed a penalty tax on radio time sales, ranging from 5 to 15 per cent, at a Ways and Means Committee hearing April 14. It was approximately a repetition of the proposal he made last year which the NAB was successful in killing.

Immediately after Haggerty's appearance, both the NAB and the International Brotherhood of Electrical Workers (A. F. of L.) issued statements assailing this discriminatory tax proposal. The American Federation of Labor itself is going to oppose the printers' proposal, too.

The NAB statement:

The penalty tax on radio broadcasting selfishly proposed today by John B. Haggerty would seriously interfere with radio's all-out war effort and add comparatively little to the public treasury. On behalf of the printing trades unions Mr. Haggerty appeared today before the House Ways and Means Committee and requested a discriminatory tax on radio so that current radio advertising revenue will be diverted to printed media.

Curtailment of civilian consumption threatens drastically to reduce, if not to destroy, the revenue of broadcasters. Nevertheless, broadcasters are energetically and at great expense increasing their many public services vital to the war effort. They have increased facilities and coverage. They are devoting many hours of broadcast time to war programs. They are helping keep the American public the best informed people in the world. In addition, American international stations are informing the peoples of the world of the ideals and efforts of the United Nations. These functions the broadcasters perform as a public service and without receiving any revenue whatsoever from the government.

The broadcasters are wholly satisfied to leave to Congress the determination of how heavy the burden of general taxation shall be, and will continue cheerfully to pay their share of all general taxes which Congress may see fit to impose. They object, however, to being singled out as a target for a discriminatory tax and to the use of the taxing power to hamper the normal operation of competitive enterprise.

Neither the publishing industry nor labor generally supports a penalty tax on radio advertising. EDITOR AND PUBLISHER, the trade magazine of the newspaper business, editorially has opposed such a tax. The American Federation of Labor is likewise on record against any discriminatory tax on radio.

The National Association of Broadcasters intends to appear before the Ways and Means Committees at an early date to state its position.

The International Brotherhood of Electrical Workers statement:

The proposal made today to the Ways and Means Committee to impose severe regulations and taxes on radio broadcasting, by the Allied Printing Trades Association was condemned by the International Brotherhood of Electrical Workers, an A. F. of L. union, as an attempt to forestall progress.

The International Brotherhood of Electrical Workers through its International President, Ed. J. Brown, in commenting upon the appeal made to the Ways and Means Committee by John J. Haggerty of the printers' group, said the proposal offered the Committee was very little different from previous propositions advanced by the printing trades workers. Brown emphasized that a tax on radio broadcasting was denounced last year by the American Federation of Labor, before the Senate Finance Committee on the grounds that:

> "The tax advocated is punitive and discriminatory in favor of newspapers as against radio stations, and is designed to take work away from a new industry and throw it to an old one."

Data will be submitted to the Committee this week by the Electrical Workers' organization showing that the printing trades workers have suffered no loss of employment opportunities as a result of radio broadcasting activities. Evidence that the printers' organizations have made their most substantial gains in membership simultaneously with the expansion of radio advertising, will also be submitted to the Committee.

COMPLETE TESTIMONY SOON

The complete text of Neville Miller's testimony before the House Interstate Commerce Committee, asking for amendment of the Federal Communications Act, and Ellsworth Alvord's statement to the Ways and Means Committee on the time sales tax proposal will be sent to all members soon.

CONVENTION PROGRAM

(Continued from page 215)

tional Clinic in which Major General A. D. Surles, Director of the War Department Bureau of Public Relations; Captain L. P. Lovette, Office of Public Relations of the Navy; Major General Beaumont-Nesbitt, former Director of British War Information; and J. Harold Ryan, Assistant Director of Censorship in charge of radio, will participate. Following this will be a question and answer session.

The noon luncheon speaker has not yet been selected. The afternoon of Monday "Radio Advertising for Department Stores" is the subject of a panel for sales managers, the discussion being led by Richard G. Meybohm, Manager, Sales Promotion Division, National Retail Dry Goods Association. Also appearing on the panel are: Barclay W. Newell, Sales Manager, Wm. Taylor Sons & Co., Cleveland; Edgar L. Rice, Sales Promotion Manager, The A. Palsky Co., Akron, and James W. Petty, Jr., Publicity Director, H. & S. Pague Co., Cincinnatti. Coincident with this session, time has been set aside for the Independent Radio Network Affiliates (IRNA), National Independent Broadcasters (NIB), and Network Affiliates, Inc. (NAI) to hold their meetings. Tentatively a labor relations clinic is scheduled for 8 p.m. with Dr. Leiserson, member of the National Labor Relations Board, as a discussion leader.

On Tuesday morning a series of breakfast roundtables is scheduled covering Wages and Hours, Technician Shortage and Training Program, Procurement and Priority Problems. The Sales Managers Breakfast will feature the New York Time Buyers and John Hymes. A news editors breakfast will be presided over by J.

Harold Ryan and General Surles, Captain Lovette and Major General Beaumont-Nesbitt are expected to participate. There will be an OFF breakfast, one portion of which will be devoted to the "Four Themes," discussion being led by William B. Lewis and Philip Wylie. The other portion of that breakfast is devoted to program coordination with Douglas Meservey and Seymour Morris leading the discussion.

The business session at 10:30 a.m. will be devoted to the theme, "Priorities: Men and Materials." Brigadier General Lewis B. Hersey will discuss the Selective Service Act and the speaker on "Material Priorities and Their Effect on Our National Economy" has not yet been named, nor has the speaker for the noon luncheon.

The afternoon of Tuesday will be devoted to the music problem with representatives of BMI, ASCAP and SESAC invited to participate. Later that afternoon the clear channel stations will hold a meeting, as will the local channel stations, and throughout the afternoon the sales managers will have a session. This latter session bids fair to be a most interesting one. The speakers are Dr. Harry Dean Wolfe, Director of the Bureau of Business Research, Kent State University, Kent, Ohio. His topic will be "Selling with Surveys." The other speaker on the program will be Gene Flack, General Sales Department, Loose-Wiles Biscuit Company. Both of these talks will be followed by discussions.

On Wednesday there will be another series of breakfast roundtables, one on collective bargaining and another sales managers roundtable with the NAB associate member station representatives leading the discussion. These include Edward Petry & Company, Inc., John Blair & Company, Free & Peters, and Weed & Company. A roundtable on the work of the DCB to be led by E. K. Jett, will also be held and the second portion of that meeting will be on the Protection of Property from Sabotage, Fire and Theft. The foreign language roundtable will be led by Allan Cranston of OFF assisted by Lee Falk. There will also be a breakfast roundtable for women program directors, presided over by Miss Jane Weaver, WTAM; and the Misses Frances Farmer, KNX; Alma Kitchell, Blue Network; Susan Allen, KHQ-KGA; Hayle Cavenor, WCCO; and Ruth Chilton, WSYR, will be featured.

The business session takes up at 10:30 a.m. and will be turned over to the sales managers. Arthur Horrocks, Counsel, Public Relations Department, Goodyear Tire and Rubber Company, will deliver an inspirational address, "The Bridge to a New Democracy." He will be followed by Miller McClintock, the Director of the Advertising Council, who will speak on the work of that organization. The speaker for the noon luncheon has not yet been determined.

The afternoon session will be the NAB business session. Ellsworth C. Alvord, tax counselor for NAB, will deliver a brief talk on pending tax legislation. This will be followed by the business session at which 13 proposed amendments to the By-Laws will be considered, 6 Directors-at-Large will be elected and the 1943 convention site will be selected. This will be followed by resolutions. At 7:30 that evening the annual banquet will be held.

Thursday, the 14th, the NAB Board of Directors will convene in its initial session of the year following election. A golf tournament will be held during the afternoon.

On Tuesday, the 12th, under the leadership of Mrs. Walter V. Magee, President of the Greater Cleveland Radio Council, a most interesting women's session has been planned.

Throughout Wednesday a special meeting for women has been arranged by Mrs. Dorothy Lewis, who is serving on a public service basis as NAB Coordinator of Listener Activities. In addition to the breakfast roundtable previously mentioned a series of addresses make up the program. "Women in Industry" will be discussed by Mrs. Harold V. Milligan, President of the National Council of Women; "The Broadcasters' Code" by Earl Glade, Chairman of the NAB Code Committee; and "The Role of the Listener," by Mrs. George D. Palmer, Radio Chairman of the General Federation of Women's Clubs. The subject of "What Do Women Want to Hear" will be discussed by Miss Ann Holden, Director of Women's Activities, Station KGO, San Francisco. "The Woman Pays" is the subject of a talk by Mrs. Irma Proetz, Vice President of the Gardener Advertising Agency. There will be a special women's luncheon at which Neville Miller will speak briefly.

The theme of the afternoon women's session is "Radio Abroad." Dr. Sterling Fisher of NBC will speak on "Radio's Latest Adventure in Education—the Inter-American University of the Air." Miss Beatrice Belcourt, Public Relations Officer of the Canadian Broadcasting Corporation, will discuss the subject of "Radio in Canada," while Dr. Winifred C. Cullis, Professor of Psychology, London University, will speak on "British Women in Wartime." Dr. Cullis will also show a film entitled, "Ordinary People."

Lt. Commander Thomas J. Keane, U.S.N., will address the meeting on "The Navy, At Home and Abroad," and Edward M. Kirby, NAB Public Relations Director, now on leave of absence as Chief of the Radio Branch, Public Relations Division of the War Department, will speak on "Radio's Place in the War."

NAB officials hope to complete the speakers list by the end of this week.

Advance reservations indicate that all attendance records at NAB conventions will be broken.

Sales

PERFORMANCE SURVEY FILLS NEED

The "NAB Survey of Radio Station Performance in Commercial Broadcasting," published on page 201 of last week's NAB Reports in addition to other distribution, was hailed in radio and advertising circles as filling a long-felt need as the first actual measurement of the reliability of radio commercial broadcasting.

William A. Fricke, secretary of the Radio Committee of the American Association of Advertising Agencies, writes:

> "Your survey of station performance is very enlightening. From time to time the question of checking station performance comes up. Many people feel that money spent for such checks could better be spent for additional time but *I have never seen any presentation of this point of view which has been as clear as that in your survey.* Could you furnish us with 100 copies of the report so that we might offer it to our members?"

National radio sales representatives commented similarly. Said L. H. Avery of Free & Peters: "Honestly, I don't know of another study in a long time that has impressed me quite as much as the 'NAB Survey of Radio Station Performance in Commercial Broadcasting.' You certainly selected a trio of representative stations in WSB, WSPD and KTRI. If you have a half dozen extra copies of this study, I'd very much appreciate such a supply. I promise you we will put them to good use with Chicago advertising agencies and advertisers."

John Blair, of John Blair & Co., declared he backed the study "100 per cent," requested copies for every Blair office, and promised fullest cooperation.

Agency comment from such potent organizations as Compton Advertising, Inc., Ruthrauff & Ryan, Inc., and Young & Rubican, Inc., ran in similar vein, and many agencies requested extra copies for submission to some of their clients "who have at one time or another raised the question about checking services," as Charles T. Ayres expressed it.

Such a reception indicates the real need for an even more extensive study of this subject by more stations. As requested in last week's issue, NAB stations are urged to *make a similar study for a period of one month,* and report their findings to the NAB Department of Broadcast Advertising. Meantime, all station salesmen should have access to the study published last week for presentation to clients whenever the need arises.

PRESS ORGAN POINTS TO RADIO

Predicting "Better Business Ahead" for newspapers, *Editor & Publisher,* semi-official organ of the American press, on its editorial page, April 4, advised newspapers to follow radio's example. After stating that publishers, hitherto gloomy over the business outlook, were now recovering a measure of optimism the editorial said:

> "Radio advertising also seems to be maintaining approximately its 1941 volume, despite the loss of some large accounts, and the promotion of the networks and leading individual stations has been increased rather than diminished. While newspapers appear certain to get a larger share of the total advertising dollar in 1942 than has been theirs for many a year, that share will be smaller than it ought to be for many newspapers unless their promotion is more vigorous and aggressive than it has been recently. In the radio industry newspapers have a competitor which knows the value of the printed word for the advancement of its cause, and which uses advertising far more intelligently, in the large, than do the majority of newspapers. That is indeed an anomaly, but it has been a major factor, no doubt, in maintaining and increasing advertising volume over the air waves."

READERSHIP VS. LISTENING AGAIN

Radio has no quarrel with the press, and the first concern of every good advertising medium is to sell itself on its merits constructively, rather than engage in windmill-tilting with competitive media. Fortunately, most time salesmen and space salesmen follow such a constructive policy.

But it has been reported that some space salesmen are using the latest release of the "Continuing Study of Newspaper Reading" as a yardstick for comparison with radio listening. That study declares that "advertising is the best read service feature offered by newspapers . . . women are more interested in newspaper advertisements than society news, pictures or comics . . .," etc. The study declares that 52% of the men and 58% of the women readers, in the average, "stop to read one or more national ads in their daily papers."

Such evidence is no doubt of some value to advertisers and to space salesmen, but is not a valid yardstick for comparison with radio listening. When a space salesman uses those figures for comparison with CAB or Crosley ratings of radio programs, for example, the comparison is invalid and entirely out of bounds, because such ratings apply to a *particular* program, while the percentage figures quoted apply to *all* reading.

The *comparable* radio figure is the per cent of listeners who hear the radio *some time daily*—and this figure is 82.9%—as shown by the study of the Joint Committee on Radio Research (see "Manual of Radio Advertising," page 4). It may be assumed that everyone who listens some time daily will hear "one or more ads."

Radio salesmen can, when necessary, point out that 82.9% is a lot bigger than 52% and 58%.

Radio continues to give its sponsors more advertising impressions per dollar invested than any other advertising medium.

CIRCUS WILL BUY TIME

The NAB has been informed by F. Beverly Kelley, in charge of radio promotion for Ringling Bros. and Barnum & Bailey Circus, that spot announcements will be purchased this year. For its opening in New York, the circus bought spots on WJZ, WEAF, WABC, WOR, WNEW, WMCA, WHN and WINS.

BANKS SELL BONDS VIA PRESS

Twenty-two banks and trust companies in New York contributed $50,000 for a newspaper advertising campaign in New York City dailies, resulting in the sale of $190,000,000 worth of Defense Savings Bonds, according to a report in the New York HERALD-TRIBUNE. Banks in other cities have expressed interest in the series, asking for copies of the ads so that they may repeat them in their localities, the report stated.

There seems to be no reason why radio stations in any city cannot organize similar cooperative campaigns.

WATCH RELIEF FUND APPEALS

During any emergency period it is necessary to exercise unusual vigilance over appeals for free time to promote various relief funds. While most of these are legitimate and entirely worthy, there have been some glaring exceptions.

Unless the agency requesting free time is known positively to be above question, such as the Red Cross, Community Chest, etc., each station should make a careful investigation before cooperating in any promotion. For example, the "British Food Parcels Service Co." of New York, which recently circularized the radio industry seeking free time, was found to be a commercial enterprise operating for profit.

NAB member stations this week have reported the "Paul Revere Rides for Army-Navy Relief," of New York, which also seeks free time for the promotion of "Historical Prints for Modern Rooms," sent to listeners for a 25¢ Defense Stamp or 25¢ in coin. The circular says that "net proceeds" will be donated, and that the promotion is "endorsed by Army Emergency Relief, Washington, D. C., and Naval Relief Society, Washington, D. C." The Washington headquarters of Army Emergency Relief has informed the NAB that no indorsement has been given by that office to this promotion, and furthermore, that Army Emergency Relief "is not asking for any time from radio stations for contribution on a national basis in 1942," since all promotions planned for this year are to be local in character, such as athletic events, social benefits, etc. The Washington office of the Navy Relief Society likewise disclaimed any knowledge of an endorsement to this promotion. Investigation of this case is being continued in New York.

Generally speaking, a "net proceeds" angle should always be investigated.

BRIEF CASES AVAILABLE

At the request of a member station, the NAB has secured prices on brief cases suitable for station salesmen and other personnel. If sufficient demand exists, the NAB will be glad to order these for member stations at cost.

The prices quoted are for 14″ x 11″ genuine Morocco leather cases, with 2-inch capacity on standard 3-ring binders, zipper bound on three sides, at $5.33 each in quantities of 100, $5.00 for 250 or $4.50 each for 500. If member stations will send their requests for one or more cases to the NAB Department of Broadcast Advertising, they will be pooled and arrangements made to purchase the cases at the most favorable price possible. An additional nominal charge would be made if stations wish their call letters stamped on the cases.

Per-Inquiry and Free Time

A frequent contributor to these columns, **United Advertising Companies,** Chicago, this time seeks per-inquiry deals on behalf of **Andrew Insko Mother Pins.**

Key Advertising Co., Cincinnati, a newcomer to the ranks, is asking for P-I deals on behalf of a photographic and enlargement service.

Free scripts are being sent to "women's editors" by **The Lawrence H. Selz Organization,** Chicago, promoting carbonated soft drinks; by **Nestle's Chocolate Test Kitchen,** promoting Nestle's chocolate products; by the **Woman's Home Companion,** promoting that publication through a series of fashion scripts, and by the **Cleanliness Bureau** of the **Association of American Soap & Glycerine Producers, Inc.,** New York, promoting increased use of soaps and cleaners.

TRANSCRIPTION, RECORD CUTS?

The War Production Board on Tuesday reduced the output of phonograph records and radio transcriptions to approximately 30 per cent of 1941 production by limiting the amount of shellac available to that amount.

Order M-106, issued today by J. S. Knowlson, Director of Industry Operations, also freezes 50 per cent of all inventories of shellac of 10,000 pounds or more and 50 per cent of all future imports.

Uses other than the manufacture of recordings are restricted to

75 per cent of the corresponding period of 1941 until June 30 and 35 per cent by quarters thereafter.

Reason for the drastic action is that India is practically our sole source of shellac and supplies are subject to shipping hazards. Direct military requirements are heavy and use of shellac is necessary in certain essential civilian processes.

These uses are excepted from the restrictions of the Order:

Electrical equipment, coatings for munitions, military explosives and pyrotechnics, navigational and scientific instruments, communication instruments, marine paints for vessels other than pleasure craft, grinding wheels, wood patterns for metal castings, health supplies as defined in P-29, and in scientific research.

Reason for the action on phonograph and transcription records is that these uses normally consume approximately one third of the nation's annual shellac consumption. Experiments now are being made to find a suitable substitute for these uses and reclaiming of old records probably will be tried out.

Persons who had on April 1 possession or control of five thousand pounds of shellac are required to file with the War Production Board by May 9 a report on Form PD-334.

Shellac is defined in the Order as lac of all grades, but does not include lac which has been bleached, cut, or incorporated into protective or technical coatings.

Stocks frozen by the Order may be sold to the Defense Supplies Corporation.

The Order was effective immediately.

The above statement by the WPB does not exactly represent the facts, the NAB has been advised by the transcription people. A 70 per cent cut in the amount of shellac will affect production of transcriptions only faintly, they said, because only a slight amount of shellac is used in making transcriptions and a substitute probably will be found for even that amount.

The phonograph record people expect to have a substitute of "non-essential" material on the market shortly, it is said.

DISTRICT 2 MEETING

Kolin Hager, WGY, was elected Second District Director, at a meeting April 10 in New York. Clarence Wheeler, WHEC, retiring director, presided and a representative delegation of New York and New Jersey broadcasters were in attendance.

C. E. Arney, Jr., Assistant to the President of NAB, outlined activities of the Association. Carl Haverlin, Vice President of BMI, John Paine, General Manager of ASCAP, and Leonard Callahan, General Counsel of SESAC, spoke on music. Lieut. Reichner, USNR, public relations officer of the Third Naval District, spoke on behalf of the Navy, outlining the splendid cooperation which broadcasters in that area had given to the various Navy activities incident to the war. Bob Richards, Office of Censorship, outlined the philosophy of the Office of Censorship as it related to radio and answered many questions.

The following resolutions were unanimously approved:

"Be it resolved: That we congratulate the officers and staff of NAB upon their progress in the imperative and essential task of unifying the radio industry, both for its important service in the war effort of the nation in its continued stimulation of the broadcasting industry toward finer and ever more effective operation in the public interest, and in its practical contributions to the broadcasters' daily problems.

"That we express our appreciation of the accomplishments of BMI, and pledge ourselves to the continued support of that organization. We urge all stations to use every effort to take full advantage of the excellent library of music provided by BMI. We endorse the BMI policy of refusing to meet competition by the adoption of promotional methods that could be regarded as unethical.

"That we renew our pledges to all the Government agencies with which we have contact, to continue our all-out cooperation with them; and that we express our sympathetic appreciation of the courtesies and attentions that they have extended to us.

"That we recommend the creation, in each state, of a War Broadcasting Committee representing all broadcast stations of that state for the purpose of carrying on and extending the work that has been initiated by the District representative of the NAB Defense Committee."

By unanimous action the convention commended the work of the retiring Director, Clarence Wheeler, who announced that because of business matters he could not again serve on the Board.

Those present were:

J. G. Gude, WABC; E. H. Twamley, WBEN; Roy L. Albertson, WBNY; Charles F. Phillips, WFBL; John A. Bacon, WGR; Kolin Hager, WGY; E. A. Hanover and William Fay, WHAM; Michael R. Hanna, WHCU; Clarence Wheeler, WHEC; Mrs. Scott Howe Bowen, Helen Wood and Elliott Stewart, WIBX; E. Ray McCloskey and C. D. Mastin, WNBF; John V. L. Hogan and Elliott M. Sanger, WQXR; H. C. Wilder, WSYR-WTRY; O. L. Maxey, WSNJ; and Edward Codel, WPAT.

George W. Bolling, John Blair & Co.; Russel Woodward, Free & Peters, Inc.; Pierre Weis and C. O. Langlois, Lang-Worth Feature Programs, Inc.; Burton Adams, NBC; W. B. Parsons, Jack Treacy and Norman L. Cloutier, NBC Radio Recording Division; Claude Barrere and C. L. Egner, NBC Thesaurus; Alex Sherwood, Standard Radio; Lieut. M. S. A. Reichner, USNR; Maurice H. Long, "Broadcasting Magazine"; Carl Haverlin, BMI; Leonard D. Callahan, SESAC; and C. E. Arney, Jr., NAB.

OHIO STATE CONFERENCE

The Thirteenth Institute for Education by Radio, sponsored by Ohio State University, will be held May 3-6 at the Deshler-Wallick Hotel, Columbus, Ohio. An increasing number of broadcasters are attending the institutes each year. This year's program, with its emphasis on wartime educational broadcasting, should be of interest to every broadcaster.

MEET THE MAJOR

Meet Major Howard O. Peterson, now in uniform at Seventh Corps Area Headquarters. The Major was formerly "Pete" Peterson, commercial manager, WOW, Omaha. Major Peterson is serving in Public Relations.

DISTRIBUTES BROCHURE

"WHO Iowa Barn Dance Frolics" is the title of a brochure just off the press that is being distributed by Woody Woods, WOW, publicity director. The frolic originates on the stage of the Shrine auditorium Des Moines, Saturday nights, except during the hot weather months. Cast consists of seventy-five.

NEW NOVELTY NUMBER

"We've Got to Stick Together" is a new tune written by Charlotte Feast. It is doing well in Baltimore and Washington. Title and words were suggested by and overheard luncheon conversation between two foreign born Americans. Upon parting one said to the other, "Vell V Got to Stick Togedder." Arrangements will be available in the near future through BMI.

DAYTON'S ARMY DAY PARADE

Front page of the Dayton News of April 6, with two eight column pictures of Army Day have been received from James M. LeGate, general manager, WHIO. Said Mr. LeGate, "The success of Dayton's Army Day observance is particularly interesting because plans for it did not start until we had received NAB WAR Service Bulletin No. 10.

The parade, featuring units from Wright and Patterson Fields and war workers of the night shifts, attracted more than 50,000 spectators in spite of the fact that it had to be held at 11:00 a.m.

VACATIONS FOR AUTOS

Milton H. Meyers, WEIM, Fitchburg, Mass., suggests that radio institute a campaign to give your auto a rest every other week.

Mr. Meyers writes:

"My thought is an appeal to Mr. and Mrs American to save for themselves, to decrease use of essential materials, to give their cars a rest, to pull in their belts and get their first real taste of denial, all on a patriotic theme. Each alternate week, they pledge to give up the use of their car except for emergency."

COMMUNITY SINGING

Sidney Silverstein, publisher of the Hillside (N. J.) Times, proposes the use of radio to promote community singing throughout the country. He says there's nothing like it to promote good morale.

FEDERAL LEGISLATION

H. R. 6752 (Monroney, D.-Okla.) LABOR—To confer jurisdiction in the United States courts in cases involving work stoppage for illegitimate and nonlabor purposes. Referred to Committee on Judiciary.

STATE LEGISLATION

Arizona:

S. 8-X (Public Defense Committee) SABOTAGE—Relating to sabotage and to make uniform the law relating thereto.

FEDERAL COMMUNICATIONS COMMISSION

Fly Addresses ACA

Chairman James Lawrence Fly of the FCC on Monday addressed the annual ACA convention in Atlanta. He complimented the C. I. O. union for its patriotism, and, among other things, urged the necessity of uninterrupted service in the entire communications industry.

TELEVISION STATIONS

At the termination of the informal conference on April 9, 1942, the FCC called for further information from permittees of television broadcast stations. The information desired is in the form of a progress report from the holders of construction permits for television broadcast stations—experimental and commercial.

The Commission desires that the reports be submitted immediately. An extensive report is not desired. However, each report should include:

1. Per cent of completion of station construction.
2. Dollars expended for construction of station, including equipment, land purchased for station, miscellaneous materials, etc.
3. Man hours expended on construction of station during the past six months.
4. Equipment and materials on hand and where located.
5. Equipment and materials necessary for completion of station and approximate cost thereof.
6. Personnel required for completion of station, and an estimate of the number of man hours necessary for completion of the construction.
7. Personnel presently employed on station construction and work being done.
8. Date station construction can be completed.

Each of the following permittees is required to furnish the progress report called for above: Earle C. Anthony, Inc., Los Angeles, Calif. (KSEE); Balaban & Katz Corporation, Chicago, Ill. (W9XBK); Bamberger Broadcasting Service, Inc., New York, N. Y. (W2XBB); Columbia Broadcasting System, Inc., Chicago, Ill. (W9XCB); The Crosley Corporation, Cincinnati, Ohio (W8XCT); Allen B. DuMont Laboratories, Inc., New York, N. Y. (WABD); Allen B. DuMont Laboratories, Inc., Washington, D. C. (W3XWT); Hughes Tool Company, Los Angeles, Calif. (W6XHH); Hughes Tool Company, San Francisco, Calif. (W6XHT); The Journal Company, Milwaukee, Wis. (WMJT); Kansas State College of Agriculture and Applied Science, Manhattan, Kans. (W9XAK); Don Lee Broadcasting System, Los Angeles, Calif. (KTSL); Don Lee Broadcasting System, San Francisco, Calif. (W6XDL); Metropolitan Television, Inc., New York, N. Y. (W2XMT); National Broadcasting Company, Inc., Washington, D. C. (WNBW); National Broadcasting Company, Inc., Philadelphia, Pa. (W3XPP); Philco Radio and Television Corporation, Philadelphia, Pa. (WPTZ); Purdue University, West Lafayette, Ind. (W9XG); Television Productions, Inc., Los Angeles, Calif. (W6XYZ); WCAU Broadcasting Company, Philadelphia, Pa. (W3XAU); Zenith Radio Corporation, Chicago, Ill. (WTZR).

924 STATIONS

The Federal Communications Commission issued operating licenses to four stations and granted one permit for the construction of a new station during the month of March, 1942. One CP station was deleted. A comparative table by months follows:

	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1
Operating	837	836	849	854	859	859	869	877	882	887	891	893	897
Construction	54	55	48	43	44	53	44	38	37	36	32	31	27
	891	891	897	897	903	912	913	915	919	923	923	924	924

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 20. They are subject to change.

Monday, April 20

Consolidated Hearings

NEW—WBNX Broadcasting Co., Inc., New York, N. Y.—C. P., **48300 kc.;** 8,730 sq. mi.; unlimited time.

NEW—News Syndicate Co., Inc., New York, N. Y.—C. P., **47900 kc.;** 8,500 sq. mi.; unlimited time.

NEW—FM Radio Broadcasting Co., Inc., New York, N. Y.—C. P., **48300 kc.;** 8,600 sq. mi.; unlimited time.

NEW—WMCA, Inc., New York, N. Y.—C. P., **48300 kc.;** 8,550 sq. mi.; unlimited time.

NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—C. P., **48700 kc.;** 8,600 sq. mi.; unlimited time.

NEW—Greater New York Broadcasting Corp., New York, N. Y.—C. P., **48700 kc.;** 8,500 sq. mi.; unlimited time.

NEW—The American Network, Inc., New York, N. Y.—C. P., **47900 kc.;** 8,840 sq. mi.; unlimited time.

Monday, April 20

Further Hearings

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.,** 250 watts, unlimited time.

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), **920 kc.,** 1 KW night, 5 KW day, unlimited time.

Wednesday, April 22

Oral Argument before the Commission

Report No. B-144

NEW—Butler Broadcasting Corp., Hamilton, Ohio.—C. P., **1420 kc.,** 250 watts, unlimited time.

Wednesday, April 22

WPRP—Julio M. Conesa, Ponce, P. R.—C. P., **1480 kc.,** 1 KW night, 5 KW day, unlimited time.

WPRP—Julio M. Conesa, Ponce, P. R.—Modification of C. P., **1520 kc.,** 1 KW night, 5 KW day, unlimited time.

WPRP—Julio M. Conesa, Ponce, P. R.—Renewal of license, **1420 kc.,** 250 watts, unlimited time.

Further Consolidated Hearings

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—C. P., **740 kc.,** 50 KW, DA-night and day, unlimited time.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—C. P., **740 kc.,** 50 KW, DA-night and day, unlimited time.

Thursday, April 23

Further Consolidated Hearings

NEW—Jefferson Broadcasting Corp., Birmingham, Ala.—C. P., **1340 kc.,** 250 watts, unlimited time.

NEW—George Johnston, Jr., Birmingham, Ala.—C. P., **1340 kc.,** 250 watts, unlimited time.

NEW—WBAM, Inc., Birmingham, Ala.—C. P., **1340 kc.,** 250 watts, unlimited time.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., **950 kc.,** 1 KW, DA-night, unlimited time.

Friday, April 24

Further Hearing

NEW—Robert V. Lee, Bradenton, Fla.—C. P., **1490 kc.,** 250 watts, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WLAK—Bradley R. Eidmann (transferor), S. O. Ward (transferee), Lakeland, Fla.—Granted consent to transfer of control (B3-TC-292) of Lake Region Broadcasting Co., Station WLAK, from Bradley R. Eidmann to S. O. Ward, for a consideration of $23,000, representing 100 shares of common outstanding capital stock.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted authority to install a new Gates-American Type 250-A Transmitter (B3-P-3464).

KRMC—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Granted application for modification of license (B4-ML-1115) to change frequency from **1400** to **600 kc.,** and increase power from 250 watts to 100 watts night, 250 watts day, unlimited time.

RENEWAL OF LICENSES

The following stations were granted renewal of broadcast station licenses for the period ending June 1, 1944:

WKRC, Cincinnati, Ohio; WMCA and auxiliary, New York; WTAG and two auxiliary transmitters.

WRJN—Racine Broadcasting Corp., Racine, Wis.—Granted renewal of broadcast station license for the period ending August 1, 1943.

WBAA—Purdue University, West Lafayette, Ind.—Granted renewal of broadcast station license for the period ending August 1, 1942.

DESIGNATED FOR HEARING

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Designated for hearing application for extension of completion date under construction permit (B1-MP-1507) covering construction of new station authorized December 17, 1940.

KGHF—Curtis P. Ritchie, Pueblo, Colo.—Designated for hearing application for extension of completion date under construction permit (B1-MP-1507) covering a new station authorized on December 17, 1940.

MISCELLANEOUS

McKeesport Radio Co., McKeesport, Pa.—Granted motion for dismissal without prejudice of application (B2-P-3186) for new station.

Nashville Radio Corp., Nashville, Tenn.—Granted motion for dismissal without prejudice of application (B3-P-3034) for new station.

Lake Shore Broadcasting Corp., Cleveland, Ohio.—Granted motion for postponement to April 28 of hearing now set for April 20 in re application of petitioner and of Cleveland Broadcasting, Inc., applicants for a new station in Cleveland, Ohio.

Barclay Craighead, Butte, Mont.—Granted in part motion for continuance of hearing now set for April 8, and continued same to April 14, in re application of petitioner and Hennessy Broadcasting Co. for a new station in Butte, Mont.

WQXR—Interstate Broadcasting Co., Inc., New York City.—Granted modification (B1-MP-1492) of construction permit for extension of completion date to April 1, 1943.

Granite District Radio Broadcasting Co., Murray, Utah.—On the Commission's own motion, continued hearing now set for April 17 until April 30, 1942, in re application for construction permit for new station (Docket 6003).

WMCA, Inc., New York City.—Granted oral request of Attorney for petitioner to withdraw motion to consolidate hearing on its application and that of seven others for new FM stations in New York City and vicinity.

Frequency Broadcasting Corp., Brooklyn, N. Y.—Granted motion for continuance of hearing now set for April 15 on application for new FM station, and continued same to May 15.

Beauford H. Jester, Waco, Tex.—Granted motion for leave to amend application for new station so as to specify 8 additional individuals to join in this application, on condition amendment is filed within 2 days.

WNYC—City of New York Municipal Broadcasting System, New York, N. Y.—Scheduled for oral argument on April 29, 1942, in re Proposed Findings (B-140) on application for modification of license to increase the hours of operation of Station WNYC (Docket No. 5705).

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted authority to install new automatic frequency control equipment (B4-P-346).

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted modification (B3-MP-1523) of construction permit (B3-P-3011) for extension of completion date to 7/10/42.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted license (B3-L-1642) to cover construction permit (B3-P-3412) to move old transmitter to site of new main transmitter, and use as an auxiliary transmitter for emergency use only.

WSBT—The South Bend Tribune, South Bend, Ind.—Granted license (B4-L-1636) to cover construction permit (B4-P-3330) for increase in power to 1 KW, changes in transmitting equipment and directional antenna. Also authority to determine operating power by direct measurement (B4-Z-1370).

WEIQ—Knickerbocker Broadcasting Co., Inc., Portable-Mobile, area of New York City.—Granted voluntary assignment of relay broadcast station license from Knickerbocker Broadcasting Co., Inc., to WMCA, Inc. (B1-ALRE-26).

WIEH—Knickerbocker Broadcasting Co., Inc., Portable-Mobile, area of New York City.—Granted voluntary assignment of relay broadcast station license from Knickerbocker Broadcasting Co., Inc., to WMCA, Inc. (B1-ALRY-13).

KVOD—Colorado Radio Corp., Denver, Colo.—Granted modification (B5-MP-1547) of construction permit (B5-P-2653 for increase in power, installation of new transmitter, changes in directional antenna) for authority to install new type transmitter and extend commencement and completion dates to 1 day and 30 days after grant, respectively.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted modification (B2-MPH-85) of construction permit (B2-PH-73, as modified and which authorized new FM broadcast station) for change in type of transmitter only.

Granite District Radio Broadcasting Co., Murray, Utah.—Denied petition of Granite District Radio Broadcasting Co. for vacation of order of March 3, 1942, designating its application for a new station for further hearing and requesting grant of said application without further hearing.

WMCA, Inc., New York City.—Denied petition for review by the Commission en banc of action of the Presiding Commissioner of the Motions Docket on April 1, 1942, denying applicant's petition for leave to intervene in the hearing on application of Frequency Broadcasting Corp. for a new FM station in New York City, and affirmed action of Presiding Commissioner.

The Evening Star Broadcasting Co., Washington, D. C.—Placed in pending files pursuant to Order No. 79, application (B1-PH-108) for new FM station.

APPLICATIONS FILED AT FCC

620 Kilocycles

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Modification of license to change name from Burlington Daily News, Inc., to WCAX Broadcasting Corp.

930 Kilocycles

WTTM—Trent Broadcast Corp., Trenton, N. J.—License to cover construction permit (B1-P-2861) as modified for a new broadcast station.

WTTM—Trent Broadcast Corp., Trenton, N. J.—Authority to determine operating power by direct method.

1030 Kilocycles

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Construction permit to change frequency from **1370** to **1030 kc.,** increase power from 500 watts night, 1 KW day to 10 KW day and night, install new transmitter and directional antenna for night use and move transmitter. Amended: to make changes in directional antenna.

1050 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Construction permit to change frequency from **1490** to **1050 kc.,** and changes in vertical antenna.

1090 Kilocycles

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Calif.—Voluntary assignment of license to Radio Broadcasting, Inc.

1130 Kilocycles

WDGY—Dr. George W. Young, Minneapolis, Minn.—Construction permit to install directional antenna for night use, increase power from 1 KW night, 5 KW day to 5 KW night, 10 KW day, change hours from limited to unlimited time, change frequency from **1180** to **1130 kc.,** install new equipment and move transmitter. Amended: re changes in directional antenna system.

1240 Kilocycles

KICA—Western Broadcasters, Inc., Clovis, N. M.—Voluntary assignment of license to Hugh DeWitt Landis.

1330 Kilocycles

WEVD—Debs Memorial Fund, Inc., New York, N. Y.—Construction permit to move former main transmitter to present location of new transmitter for use as auxiliary.

1340 Kilocycles

WFIG—J. Samuel Brody, Sumter, S. C.—Voluntary assignment of license to Radio Station WGIF, Inc.

1440 Kilocycles

WAAB—The Yankee Network, Inc., Worcester, Mass.—Modification of construction permit (B1-P-3194) for increase in power, installation of new transmitter and directional antenna for day and night use, and move of transmitter and studio, requesting approval of directional antenna system.

1450 Kilocycles

WMVA—Martinsville Broadcasting Co., Inc., Martinsville, Va.—License to cover construction permit (B2-P-3370) for move of transmitter, increase in power and new vertical antenna system.

WMVA—Martinsville Broadcasting Co., Inc., Martinsville, Va.—Authority to determine operating power by direct method.

WJMS—WJMS, Inc., Ironwood, Mich.—Modification of license to change name to Upper Michigan-Wisconsin Broadcasting Co., Inc.

1470 Kilocycles

KRBC—The Reporter Broadcasting Co., Abilene, Texas.—Construction permit to install new transmitter, move transmitter, change frequency from **1450** to **1470 kc.,** install vertical antenna and increase power from 250 watts to 1 KW. Amended: to install directional antenna for night use, change type of transmitter proposed and to omit request for move of transmitter.

NEW—H. C. Cockburn, tr/as San Jacinto Broadcasting Co., Houston, Texas.—Construction permit for a new broadcast station to be operated on **1470 kc.,** 1 KW, unlimited time. Facilities vacated by KXYZ. Amended: to install directional antenna for night use.

1480 Kilocycles

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Construction permit to change frequency from **1490** to **1480 kc.,** increase power from 250 watts to 1 KW and install new transmitter.

1490 Kilocycles

WNBF—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Modification of construction permit (B1-P-3185) as modified, for change in frequency, install new transmitter and directional antenna for night use and move transmitter, requesting extension of completion date from 5-3-42 to 8-3-42.

KDB—Santa Barbara Broadcasters, Ltd., Santa Barbara, Calif.—Voluntary assignment of license to Don Lee Broadcasting System.

1600 Kilocycles

WCNW—Arthur Faske, Brooklyn, N. Y.—Voluntary assignment of license and construction permit to WLIB, Inc.

FM APPLICATIONS

W53H—The Travelers Broadcasting Service Corp., Hartford, Conn.—Modification of construction permit (B1-PH-12) as modified for a new high frequency broadcast station, requesting extension of completion date from 4-28-42 to 10-28-42.

W69PH—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for reinstatement of construction permit which expired 1-1-42 for a new high frequency broadcast station on **46900 kc.;** coverage, 9,300 square miles.

MISCELLANEOUS APPLICATIONS

NEW—KTRH Broadcasting Co., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **1606, 2074, 2102, 2758 kc.,** 50 watts, A3 emission.

NEW—KTRH Broadcasting Co., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **30820, 33740, 35820, 37980 kc.,** 3 watts, A3 emission.

WBWB—Banks of Wabash, Inc., Portable-Mobile.—License to cover construction permit (B4-PRY-271) for a new relay broadcast station.

WGEA—General Electric Co., Schenectady, N. Y.—Modification of license to add frequencies of **7000** and **11847.5 kc.** to those already licensed, sharing time on **7000** and **11847.5 kc.** with station WGEO.

WGEO—General Electric Co., Schenectady, N. Y.—Modification of license to add frequencies of **7000** and **11847.5 kc.** to those already licensed, sharing time on **7000** and **11847.5 kc.** with station WGEA.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Gold Medal Haarlem Oil Corp.—A complaint has been issued charging Gold Medal Haarlem Oil Corp., Brooklyn, with disseminating false advertisements in connection with the sale of a medicinal preparation variously designated "Gold Medal Haarlem Oil," "Gold Medal Haarlem Oil Capsules" and "Gold Medal." (4745)

H. M. Manheim & Co., Inc., 87 Nassau St., New York, is charged, in a complaint, with misrepresentation in the sale at retail of jewelry, silverware, luggage, giftware and other jewelers' merchandise to consumers who buy for their own use and not for resale or retailing. (4743)

Monte Carlo Hats, Inc., 39 West 37th St., New York, is charged in a complaint with misrepresentation in connection with the sale of women's hats. (4742)

Tennessee Tufting Company—Violation of Section 2a of the Robinson-Patman Antidiscrimination Act is alleged in a complaint issued against Tennessee Tufting Co., 2404 Heiman St., Nashville, Tenn., manufacturer of tufted bedspreads, bath mats, rugs and allied products. (4744)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Superior Felt and Bedding Co., 2447 Roosevelt Road, Chicago, has been ordered to discontinue certain misrepresentations in connection with the sale of mattresses it manufactures. The respondent company maintains branch factories or warehouses in New York, Dallas, Tex., Kansas City, Mo., Columbus and Cleveland, Ohio, DeKalb, Ill., Detroit and Pittsburgh. (4309)

United States Raw Skins Corp., 12 East 33rd St. New York, dealer in domestic and imported leathers, and Lieberson Novelty Co., Inc., 325 South Market St., Chicago, manufacturer of leather goods, has been ordered to cease and desist from misrepresentation in the sale of their products. (4669)

Wool Trading Company, Inc., et al.—Three New York distributors of hand knitting yarns have been ordered to cease and desist from misrepresentations in the sale of their products. The respondents are Wool Trading Co., Inc., which sometimes trades under the name Peter Pan Yarn Co., 361 Grand St.; Samuel and Peter Gottlieb, trading as Gottlieb Brothers and as Jack Frost Yarn Co., 207 Avenue C.; and Philip Jablon, trading as Bell Yarn Co. and as Wonoco Yarn Co., 371 Grand St. (4267-4268-4326)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Bennettsville Mattress Factory, Bennettsville, S. C., entered into a stipulation to cease certain representations in the sale of mattresses, pillows or related products. The respondent agrees to desist from use of the words "Cotton Linters" as descriptive of a mattress or related product, the filling of which is not made from or composed of cotton linters, and from use of the word "new" in connection with the word "Kopox," or with any other simulation of the word "Kapok," as descriptive of the filler of a product which is not made wholly from new Kapok material. The respondent Dowd also stipulates he will cease representing, by use of the words "New Materials," or other words of similar meaning, that a mattress or related product or its filler, which is made either in whole or in part from old, used or second-hand materials, is new or is made entirely from new materials. (3449)

Gordon Baking Co., 2303 East Vernor St., Detroit, and Barton A. Stebbins, 811 West 7th St., Los Angeles, conducting an advertising agency acting on behalf of Gordon Baking Co., stipulated to cease certain representations in connection with the sale of the Gordon company's product "Silvercup Roman Meal Bread." The respondents agree to cease advertising that this product contains all the necessary vitamins or, when eaten in quantities ordinarily consumed, will supply the minimum daily nutritional requirement for any one vitamin. They also agree to cease representing that Silvercup Roman Meal Bread is incapable of adding excess body weight or will of itself reduce such weight, and that this bread embodies a new health secret. The respondents also stipulate they will desist from the representation that Silvercup bread is indorsed by famous movie stars, when such is not a fact. (02970).

Kayak Boat Co., 152 East 129th St., New York, builder of small boats of various types, stipulated that, in connection with the sale of boats, they will discontinue representing that an offer of prices or premiums made periodically or otherwise in the ordinary course of business is due to stock reduction, factory enlargement or other unusual circumstance; that the stock available at the prices so offered is limited in quantity; and that prices or premiums are applicable for a limited time only when, in fact, orders are accepted and filled after such time period has elapsed. (3448)

Magnavox Co., Inc., Beuter Road, Fort Wayne, Ind., stipulated that it will cease representing that the sound-slide-film projectors or equipment it manufactures are the most powerful made. (3450)

Minix Institute, 542 South Broadway, Los Angeles, selling a correspondence course designed to fit students to become pest control operators, stipulated that it will cease and desist from use of the word "Institute" in its trade name or in any manner which tends to cause the belief that the school it operates is an organization conducted for the promotion of learning, such as the arts or sciences, and has the equipment and faculty to entitle it to be designated an institute. The respondent further agrees to stop representing that the course it offers will enable a student who lacks practical experience to earn from $35 to $60 a week or any other stated amount in excess of what he actually would be likely to earn in view of his lack of experience; that the course consists of any stated number of lessons in excess of what is actually the fact; and that the price for which the course is offered for sale is either special or reduced when, in fact, it is the regular price customarily charged in the usual course of business. (3451)

Shulton, Inc., 589 Fifth Ave., New York, distributor of soap and toiletries, entered into a supplemental stipulation to cease and desist from representing that for 31 years or any other period of time it has been a manufacturer of soaps or toiletries, that it owns or controls the factory in which its products are compounded, or that it supervises their production. According to the stipulation, the respondent operates a plant at Hoboken, N. J., where it packages soap manufactured for it by other concerns. Under the original stipulation, accepted by the Commission in May, 1936, the respondent agreed to cease representing that its soap products were of British origin and, through use of the word "soapmakers" on billheads and other printed matter, that it was a soap manufacturer. (1704)

Vitkin, Lee Feather Co., 2455 Archer Ave., Chicago, pillow manufacturer, entered into a stipulation to discontinue use of the term "100% White Goose Down" on labels to describe products which actually are not so filled; and to cease employing the word "down," either alone or with the word "goose," or in any manner which may tend to cause the belief that such products are filled entirely with down. (3456)

Whisk Company of New York, Inc., 801 Greenwich St., New York, has entered into a stipulation to cease representing, or placing in the hands of others the means of representing, that the use of the product designated "Whisk" as a treatment for rugs or other articles containing wool or animal fibers renders such articles immune to attack by moths or affords positive or complete protection against damage by moths. (3452)

FTC CASE CLOSED

The Federal Trade Commission entered an order closing without prejudice its case against Fels & Co., Philadelphia, which had been charged with violation of the Federal Trade Commission Act in connection with the sale of "Fels Naptha Soap Chips."

The order states that the facts in the case were not sufficiently developed to permit a proper determination of the issues and that since the issuance of the complaint the respondent has adopted a glassine-lined package, which may tend to retard evaporation of the naptha content of its soap chips.

NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 17, April 24, 1942

FCC RELAXES RULES FOR RADIO TECHNICIANS

In response to the request of the broadcast industry for additional relief in the technician shortage, the FCC has responded with Order 91A issued April 21. (See Page 199, April 10 REPORTS).

The order reads in part as follows:

"IT IS ORDERED, That until further order of the Commission, nothwithstanding the provisions of Section 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators, a broadcast station of any class, which by reason of actual inability to secure the services of an operator or operators of a higher class could not otherwise be operated, may be operated by holders of any class commercial operator license;

"PROVIDED, HOWEVER, That all classes of commercial operator licenses shall be valid for the operation of broadcast stations upon the condition that one or more first-class radiotelephone operators are employed who shall be responsible at all times for the technical operation of the station and shall make all adjustments of the transmitter equipment other than minor adjustments which normally are needed in the daily operation of a station;

"PROVIDED, FURTHER, That a broadcast station may be operated by a holder of a restricted radiotelephone operator permit only in the event such permit has been endorsed by the Commission to show the operator's proficiency in radiotelephone theory as ascertained through examination."

Holders of all classes of commercial radio operator licenses may now operate broadcast stations.

There are six classes of commercial radio operator licenses: first and second class radiotelephone; first and second class radiotelegraph and restricted radio telephone and radio telegraph. The various classes of operators may operate broadcast stations under these conditions:

1. First class radiotelephone—may operate a broadcast station without restriction.
2. Second class radiotelephone, first class radiotelegraph, second class radiotelegraph—restricted radiotelegraph—may operate a broadcast station providing a first class radiotelephone operator is in charge and responsible for the technical operation of the station. These licensees may work as operators but may not make

(Continued on page 232)

Registration and Delegate Cards

Have you sent to NAB (1) Your registration card for attendance at the Cleveland convention, and (2) A delegate card designating the person empowered to vote for your station at the Convention?

Both these cards have been sent to you. If you have not already filled out and returned these cards to NAB, please do so now and save yourself some time at the Convention.

Radio War Guide Friday

The Office of Facts and Figures expects to mail its Radio War Guide to all stations today. This "Guide" contains program priority suggestions for all stations and network schedules of commercial programs which will carry government material for the period April 27-May 3.

Five Priority Groups

Program priorities are divided into five groups—AA, A, B, C, and D.

In the AA classification are:

Navy Recruiting
Marine Corps Recruiting
Coast Guard Recruiting
War Bonds and Stamps
Sugar Shortage Information
Auto Pooling
Conservation of Gas and Tires
Production Drive Information
U. S. O. beginning May 11

In the A classification are:

Army Recruiting
Civil Service Recruiting
Selective Service-regional
War Industry Training Information for Displaced and New Workers
Merchant Marine Recruiting
Civilian Participation in Defense Activities
Don't Spread Rumors

In the wheat belt, Wheat Marketing Referendum and Increased Acreage of Farm Products Vital to War.

In the B classification are:

Recruiting Nurses and Doctors
First Aid and Fire Fighting
Health in Wartime
Victory Gardens
Farm Implement Pooling
Information on Latin America
All Salvage

Allocations Not Used by All

Army, Navy, Marine Corps, Coast Guard and Civil Service material, according to OFF, will not be used in network allocations at the request of these organizations. The material will continue to be distributed as heretofore and scheduled by individual stations.

The "Guide" suggests that 50% of available station program units devoted to the War effort be used for items listed in the AA classification; that 30% be used for A items and 20% by B

(Continued on page 233)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

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Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

ADVERTISING GAINS

The February "Broadcast Advertising Record" was mailed to cooperating stations Monday, April 20. It shows that there was a substantial gain in broadcast advertising unit volume for the month as compared with the same month in 1941.

Estimates projected for the entire industry from the "Record" show that program units for February, 1942, were 7,291,000; 22% greater than the 5,992,000 reported for February, 1941. Announcement units were 1,094,000 for February, 1942, 9% ahead of the 1,001,000 units reported for February, 1941. The twelve-month moving total figures for the year ending at the close of each month are as follows:

Year Ending	*Program Units*	*Announcement Units*
August, 1941	80,943,000	13,705,000
September, 1941	81,442,000	13,889,000
October, 1941	81,818,000	14,006,000
November, 1941	82,801,000	14,219,000
December, 1941	84,267,000	14,511,000
January, 1942	85,646,000	14,664,000
February, 1942	86,944,000	14,756,000

The twelve-month moving totals indicate that the trend of broadcast advertising would, under normal conditions, forecast a gain even more optimistic than that predicted in the NAB REPORTS article on Page 143 of the March 13, 1942 issue, and also the NAB REPORTS article on Page 175 of the March 27, 1942 issue.

Program units for department store advertising showed a gain of 28% as compared with February, 1941, and the twelve-month moving total shows a 7% gain in the last six months.

The broadcast advertising gains in February compare with newspaper lineage losses as reported by MEDIA RECORDS for the month of February, 1942. February, 1942 lineage was reported at 87,943,943 as compared with 93,962,500 for February 1941.

AFRA FIGHTS TAX

The American Federation of Radio Artists joined the International Brotherhood of Electrical Workers this week in registering their protest against the radio time sales tax proposed by the printing trades unions.

Emily Holt, executive secretary of AFRA, notified through NAB that she had wired the union's protest to the House Ways and Means Committee.

ENOUGH DAYLIGHT SAVING

Bills introduced in the New York, New Jersey and Pennsylvania Legislatures providing for an extra hour of daylight-saving time have been vigorously opposed by NAB. Strong opposition by Joseph B. Eastman, Director of Defense Transportation, also was registered this week in telegrams to the Governors of the three states.

LISTENING SURVEY

Many stations have written to NAB requesting information concerning the questionnaires entitled "Census of Wartime Radio Listening", which have been turned over to the stations by members of their listening audience.

The NAB Research Department has looked into the matter and reports that the survey is being conducted by the National Broadcasting Company. It is a continuance of the NBC coverage or station popularity studies started several years ago.

There is no foundation to the thought expressed by some stations that the U. S. Bureau of the Census has connection with the survey. Also, no other government agencies are involved because of war exigency.

CONGRESSMEN COMPLIMENT MILLER

During Neville Miller's testimony on the Sanders bill, two members of the House Interstate Commerce Committee paid him compliments.

Representative Hinshaw (R-Calif.) said:

"For the purpose of the record, I have known the witness, Mr. Neville Miller for 30 years. We were classmates in college together and while subsequent to that our ways parted, I have watched his career with great interest. Among his many accomplishments, was that of Mayor of Louisville during the great flood which occurred not many years ago, for the masterful handling of which he received great acclaim. Following that he served for a short time as the assistant to the President of Princeton University and went from there I believe to his present position. The integrity of the gentleman is beyond question."

To which Representative Bulwinkle (D-NC) added:

"Mr. Chairman, while we are giving this, I might say for the purpose of the record too, that Mr. Miller is bound to be all right, because his grandmother came from North Carolina."

SMEBY RESIGNS

At the War Department's request, Lynne C. Smeby resigned this week as Director of Engineering for the NAB to become a civilian consultant on air communications in the Signal Corps.

"Important as I believe the wartime engineering activity of the NAB is, I can arrive at no other conclusion than that work more intimately associated with our armed forces should have first call on by services," Mr. Smeby said in his letter of resignation.

Mr. Smeby, representing the broadcasting industry, has spent a great deal of his time in recent months working with the various government agencies dealing with the technical aspects of broadcasting. He will be greatly missed by these agencies as well as the NAB.

Before joining the NAB staff in 1939, Mr. Smeby was with the International Telephone and Telegraph Company. He has been with stations WKAQ, WXYZ, KSTP, WTCN and WDGY before going with I. T. and T.

SET MANUFACTURE STOPS

At midnight Wednesday the major part of the country's radio industry stopped production of radios for civilian use in order to make its entire facilities available for war work. The remainder of the industry will wind up its operations within a few weeks.

Thirty of the 55 companies producing civilian radios will have ceased putting sets into production when the deadline fixed in WPB order L-44-a is reached. Two other large companies, RCA and Philco, each operating several plants, will have shut off civilian production at midnight in plants representing more than 80 per cent of their total production. These 32 companies already have war contracts totalling $780,000,000, representing 87 per cent of all the war contracts let so far to the home radio industry.

The remaining 25 companies were given additional time, ranging from one to six weeks, to produce additional sets in order to facilitate their program of conversion to war work, as provided for in L-44-a. Half of the approximately 410,000 sets to be produced after the shutoff date will be reserved for export to friendly nations, as requested by the Coordinator of Inter-American Affairs and Lend-Lease.

You Can't Afford to Miss the NAB Convention May 11-15

A program which no broadcaster can afford to miss is rapidly nearing completion for the NAB Convention, May 11-15, in Cleveland.

The tentative program for the business sessions was announced in last week's NAB REPORTS, and additional meetings are announced below.

Speakers of outstanding national prominence are being obtained for the luncheon meetings, and will be announced within a few days.

Chairman James Lawrence Fly of the FCC wrote to Neville Miller that circumstances would not permit him to take part in the work of the convention, after Mr. Miller had sent Mr. Fly the following invitation:

"DEAR MR. CHAIRMAN:

"The National Association of Broadcasters is having its annual convention in Cleveland on May 11-14. Our program is based on the theme "Radio and the War," and we shall discuss ways and means of how broadcasters can best help our government win the war. The first three days, Monday, Tuesday, and Wednesday will be devoted to business sessions, ending with a banquet on Wednesday night. The fourth day will be devoted to directors and committee meetings, and a golf tournament and other entertainment features.

"I want to extend to you a most cordial invitation to be present during the entire convention and to address the convention at a luncheon or at a business session, whichever you prefer, upon a subject of your choice. We have found in the past that the luncheons are the best attended meetings, and if you would like, we shall be glad to schedule you as the only speaker at the luncheon on either Monday, Tuesday or Wednesday of the convention. However, if you prefer a business session, I suggest one of the morning sessions, as the attendance at the morning sessions is better than the afternoon sessions.

"I am quite sure that the broadcasters will welcome a speech from you on any subject and I hope that you will be able to be with us during the entire convention. So that we may complete our program at an early date, I shall appreciate word from you at your early convenience.

"The convention will be held at the Statler Hotel in Cleveland, and, hoping that you will be with us, I have taken the liberty of reserving a suite for your use."

After he had received Mr. Fly's reply, Mr. Miller sent the Chairman the following letter:

"DEAR MR. CHAIRMAN:

"I greatly regret that you will not be able to speak at the National Association of Broadcasters Convention, as I am sure all of us would like very much to hear you. If later you find it possible to attend the Convention, I hope that you will come, and I want to extend to you a most cordial invitation to be with us for the entire Convention, or any part which your duties will permit.

"On Sunday night, May 10, at seven o'clock at the Statler Hotel, we are having an informal supper and are inviting the speakers and other distinguished guests to have supper with the Board of Directors. I want to extend to you a cordial invitation to be our guest. The affair will be entirely informal, and should break up around nine o'clock."

Those attending the Convention at times will be in somewhat the same position as a small boy at a three-ring circus. In addition to the General Business sessions, the tentative programs of which were outlined in last week's REPORTS, there will be on Tuesday afternoon simultaneous meetings of Sales Managers to sit in on a Department Store Clinic and a group meeting arranged by the Radio Council of Greater Cleveland.

The Sales meeting panel is headed by Richard G. Meybohm, Manager, Sales Promotion NRDGA. Participating with him are Barclay W. Newell, Sales Manager of William Taylor Sons & Co., Cleveland; Edgar L. Rice, Sales Promotion Manager, A. Polsky Company, Akron, and James W. Petty, Jr., Publicity Director, H. & S. Pogue Co., Cincinnati. All have a story of deep interest to radio people.

The theme of the Radio Council program is "The Listeners Stake in American Radio"; certainly one of interest to broadcasters. Speakers are B. S. Bercovici, Radio Commentator, WJW (MBS) Akron; Guy Hickock of the Inter-American Affairs Committee; Fred Weber, General Manager MBS; and Jennings Pierce, NBC Public Service Director for the Western Division.

On Wednesday there will again be a choice of meetings. The General Business Session will run throughout the day. At the same time Mrs. Dorothy Lewis, NAB Coordinator of Listener activity, has put together a most interesting program. Much of this was outlined in last week's REPORTS story on the Convention, but now we may add to the list of outstanding speakers the name of Mr. Charles R. Hook, President of the American Rolling Mills and an NAM Director. He will speak on the topic "Industry's Role in a World Offensive."

The Breakfast Roundtable Sessions on Tuesday and Wednesday are going to create a lot of competition. On Tuesday the Sales Managers will have the Radio Executives' Club of New York telling them "What Burns Us Up"—In other words "How Not to Get Advertising." At the same time the Engineering Department will have a roundtable on Technician Training and Procurement Priorities. Tire Rationing will be another roundtable session, with Mr. Behoteguy, of the B. F. Goodrich Company, leading the discussion. He has been for the past several months in the OPA tire rationing division. Then there will be the OFF Breakfast Roundtable, divided into two sections, with William B. Lewis and Philip Wylie talking about "The Four Themes," and later, Douglas Meservy and Seymour Morris covering "Program Coordination." That isn't all—J. Harold Ryan, assisted by General Surles, Admiral Hepburn and Captain Lovette of the Navy, and Brigadier General Beaumont-Nesbitt and others, will hold forth on the Censorship matter.

The same difficulty for the broadcaster to decide which breakfast he wants to "eat at" will be presented Wednesday. There is one on Collective Bargaining. Then the Sales Managers will have the NAB Associate member National Reps to lead their discussion. Foreign Language Broadcasting will occupy the attention of another breakfast roundtable with Alan Cranston and Lee Falk of OFF leading the conference. Just to make it easier to decide things, Major Culligan, Public Relations Officer of the Selective Service System, will tee-off a discussion of Selective Service, and there will be another roundtable on Music with Merritt Tompkins in charge. We almost forgot to list a breakfast on The Work of DCB, and a discussion on that same program of Property Protection with J. D'Agostino setting the pace.

The lines are now out for some real topnotchers to fill out a program already studded with just that type of speakers. We hope next week to make some very important announcements on the subject.

Hotel Reservations

There are two things about hotel reservations at Cleveland which John Patt, Chairman of the Housing Committee, wants every person who hasn't yet gotten a confirmation to know. If you have not had your reservation confirmed by the hotel, write immediately. If you have neglected to send in your request do so at once. All communications should be sent to the NAB Housing Committee, 1604 Terminal Tower, Cleveland. There are plenty of single rooms at the Statler; all of the suites, twin-bedded and doubles, are gone and there are suites at both the Carter and the Hollenden. The former is just a block from the Statler, and the latter a short three blocks. The accommodations at both hotels are excellent. There are also twins and doubles available there. "We know that there will be some disappointments about accommodations," said Mr. Patt, "but we are trying to take care of everyone as they wish to be accommodated. Of course, everybody can't have a suite in the headquarters hotel, but we do believe we can care for all of those who wish suites there and elsewhere. We wish to do everything possible to make this convention a success from the housing standpoint and otherwise. We most urgently ask that attention be given to reservations."

Promotional Display

A. W. (Chick) Allison, WLW Promotion display chairman, reports a splendid response from stations. He predicts an outstanding showing of material which stations have used to further the national war effort. A space immediately adjacent to the entrance to the Grand Ball Room, where all of the Luncheon Sessions will be held, has been set aside for this display. It promises everyone a chance to look this material over. The board of judges is in the making and some very capable jurists on display copy have accepted. The full committee will be disclosed soon.

In addition to this promotional display, BMI will make a fine showing and NAB will exhibit some of the things it does for the industry. FREC will be on hand with an interesting display.

It all sums up to just this: NO BROADCASTER CAN AFFORD TO MISS THE TWENTIETH ANNUAL NAB CONVENTION!

Sales

"Comparative Costs" Chapter Ready for "Manual of Radio Advertising"

A new chapter for the NAB "Manual of Radio Advertising" is being distributed through the mails this week. Titled "What Price Radio?" the chapter is a study of the comparative costs of radio advertising as compared with other media.

Based on studies gathered from individual stations and networks, the chapter points out the indisputable economy of radio as a means of reaching the mass market—at a lower *net*-cost-per-thousand-sales-impacts than is possible through any other established advertising medium. Thus the chapter tells a highly competitive story—a story that many stations will not wish to use, because of its competitive character, except in those cases where such a presentation is necessary through the insistence of the client. In these cases, radio salesmen may expect it to be highly effective.

A good "test case" was provided recently when an NAB member station asked the Department of Broadcast Advertising for some information on comparative rates, urgently needed in a competitive situation. Although this chapter was not yet off the press, a set of advance proofs was sent to this member, KOVO, of Provo, Utah. After using the material, Arch L. Madsen, station manager, replied:

"You're a pal for rushing the advance proofs of 'The Comparative Costs of Radio Advertising.' These proofs of your forthcoming 'sales dynamite' were *successfully used yesterday on a department store advertising manager.* Based on his hearty reactions, I can safely predict that this material will be worth, literally, *its weight in gold, many times over, to the local time salesmen.*"

One copy of the new chapter is being sent to each NAB member, for inclusion in the Manual. To those members who have ordered additional Manuals, a corresponding quantity of additional chapters are also being mailed.

New War Bond Kit Provided

At the request of many NAB members through correspondence and at District Meetings, the Department of Broadcast Advertising during the past two months worked out a plan in cooperation with Vincent F. Callahan and his staff at the Treasury Department whereby scripts and ideas would be made available to radio stations, to further the sale of war bonds and stamps, suitable for *local sponsorship* by merchants of all types.

This new radio service is comparable to a service provided by the Treasury Department to newspapers, whereby a collection of display advertisements, also designed for sponsorship by local merchants, is furnished to newspapers throughout the country.

The new radio kit, distributed by the Treasury this week, contains sample announcements suitable for a variety of local sponsors; sample opening and closing announcements for sponsored programs, and a list of suggestions and ideas for building special programs for local sponsors.

Some stations, the NAB has pointed out, will prefer to continue their promotion of bond and stamp sales as in the past, entirely on station time and without any help from local sponsors. On the other hand, there are many stations that can make effective use of this new service. In almost every community there are a number of merchants who desire to aid the government in its war financing drive, but who have little opportunity to do so except through radio, newspapers, or some other advertising medium. Many of these merchants or local manufacturers, it has been learned, are not present users of radio advertising; this new service, Treasury officials believe, offers stations an opportunity to present an approved plan to such clients, enabling them to participate in a patriotic and necessary effort and at the same time build goodwill and keep their name before the public in a favorable light.

Treasury officials are behind the plan because it will add steam to the bond and stamp campaign, enable stations to be reimbursed at least in part for their efforts, and because it will do a more effective sales job. Announcements and programs thus sponsored. Treasury officials realize, will receive preferred position on the air, will benefit from the same continuity and effort as other sponsored programs, and in some cases will be given special promotion and merchandising.

Mr. Callahan pointed out that the kit contains only a limited number of "samples," and urged that all stations feel free to expand or rewrite the material as desired to fit local needs.

Additional kits may be had on request to his office, and an additional supply will be on hand at the NAB convention in Cleveland May 11-14.

Evidence from stations regarding the use and success of this material will be welcomed by Mr. Callahan's office, and stations are invited to send copies of these reports to the NAB Department of Broadcast Advertising, so that experiences and ideas may be exchanged among members.

Anybody Want Brief Cases?

As offered in last week's REPORTS, member stations may order brief cases through the NAB if they wish and obtain the benefit of a quantity price. Prices quoted us for 14" X 11" genuine Morocco leather cases, with 2-inch capacity on standard 3-ring binders, zipper bound on three sides, are $5.33 each for 100, $5.00 for 250 or $4.50 for 500. Station call letters may be stamped on for an additional nominal fee.

Dealer-Cooperative Changes

The Wohl Shoe Co., St. Louis, Mo., listed in the recent NAB Dealer-Cooperative Advertisers report as giving 50-50 cooperation to shoe dealers, reports that its cooperation is limited to the furnishing of transcribed dramatized announcements on Paris Fashion, Connie and Natural Poise Shoes, with all time costs to be paid entirely by the dealer. NAB members are asked to make that correction in their copies of the Dealer-Cooperative Advertisers report.

Advertisers Invited to NAB Convention

All advertisers and advertising agency men are invited to attend the NAB convention in Cleveland May 11-14, and *members will render a service by extending this invitation personally to clients and agencies in their cities.*

Invitations to the presidents of 1200 agencies using radio were sent by NAB President Neville Miller, and similar invitations to heads of agency radio departments and time buyers were sent by Gene Carr, WGAR, NAB Sales Managers chairman. It was not possible, however, to cover all agencies in the country, nor to send personal invitations to all advertisers; hence the assistance of NAB members in this regard is requested.

Several special sessions at the convention have been arranged that will be of particular interest to clients and agencies, such as the department store panel, the agency breakfast meeting called "What Burns Us Up," the national representative breakfast meeting on "Information Please on Spot Radio," the talks by Arthur Horrocks of Goodyear Tire & Rubber Co. on "Bridge to a New Democracy," by Gene Flack of Loose-Wiles Biscuit Co. on "Shoot the Works," by Dr. Harry Dean Wolf of Kent State University on "Selling with Surveys," and the report from The Advertising Council by Dr. Miller McClintock.

Many of the general sessions will also be of interest to advertisers and agencies, such as the program on the handling of war news, the music session, the OFF breakfast meeting, etc.

Hotel reservations for advertisers and agencies may be arranged by writing the NAB Housing Committee, 1604 Terminal Tower, Cleveland.

Gene Car Addresses Ad Club

Eugene Carr, WGAR, Chairman of the NAB Sales Managers Executive Committee, spoke on "You and Advertising and the War" before the Cincinnati Advertising Club April 22. He also invited all club members to attend the NAB convention in Cleveland.

Case Histories Needed

Stations with success stories on bowling alley clients and dancing schools are asked to send them to the Department of Broadcast Advertising, to fill special requests received this week from an advertising agency and a member station.

Other case histories on any type of account are always welcome for our central files, and are then freely available to members on request.

Per-Inquiry and Free Time

"Paul Revere Rides for Army-Navy Relief," reported last week in these columns as claiming endorsement of the Army Emergency Relief and Navy Relief Society of Washington, D. C., without actually having received that endorsement, now develops to have been a commercial enterprise. Following the NAB investigation it was learned that this request for free time, ostensibly for the benefit of Army and Navy relief, who were to get the "net proceeds" from the sale of Paul Revere prints, was sent out by the St. Georges & Keyes Advertising Agency of New York, on behalf of Revere Copper & Brass, Inc., although the original request to stations *carried no such identification.* The agency writes the NAB as follows:

> "I have just been informed by the U. S. Army that they have been unable to authorize radio broadcasts of 'Paul Revere Rides for Army-Navy Relief,' sponsored by Revere Copper & Brass, Inc., 230 Park Ave., New York, N. Y., to which company we are advertising and publicity counsel. The reason given by the Army for this decision is an agreement they made recently with the Red Cross not to seek any radio publicity of a national nature (in 1942) for the Army Emergency Relief.
>
> "Our efforts to obtain radio publicity were made prior to the Army's agreement with the Red Cross, and prior to our having any knowledge that this agreement would be made. Accordingly we are making no further efforts to obtain radio time for our campaign on behalf of the Army Emergency Relief. However, what has been done cannot be canceled, and it is possible there will be or have been five or ten broadcasts in which Army Emergency Relief is mentioned . . ."

Cases like this emphasize the necessity for all stations to double-check all such requests for free time, whether made in the guise of charity, patriotism, or any other cause. It might also again be pointed out that unless such requests come through known and official sources, the program directors, women's editors, and others at your station be cautioned to submit them to someone in authority for check-up and approval.

Per-inquiry feelers have been sent out this week by **The Patred Co.**, Chicago, on behalf of the **Charlie Cook Corp.**, and its transcribed music lessons; by the **Panate Co.**, Chicago, on behalf of its vitamin products, and by the **Mail Photo Service, Inc.**, Louisville, which seeks P-I deals on snapshot films. The NAB has invited them all to use radio on the basis of established rates.

MORTON APPOINTED

J. A. (Arch) Morton, Commercial Manager, KIRO, Seattle, has been named by District Director Harry Spence as the Sales Managers Chairman for the Seventeenth District for the balance of the year. He succeeds Harvey Wixson, KGA-KHQ, Spokane.

AFA CONVENTION

Neville Miller has been appointed to the Program Committee for the annual meeting of the Advertising Federation of America to be held June 21-24 in New York. Bruce Barton is chairman.

Radio Technician Training

Wisconsin

Nine hundred fifty students are enrolled in the Radio Technician Program in Wisconsin under the direction of State Coordinator F. Ellis Johnson, dean of engineering, University of Wisconsin, Madison. Location of courses with their instructors are shown below:

City	*Instructor*
Appleton	Professor W. Paul Gilbert, Lawrence College, Appleton
Beloit—2 sections	Prof. Vernon A. Suydam, Beloit College, Beloit
Chippewa Falls	Thorwald Jorgensen, Chief Engineer Police Department, Eau Claire
Eau Claire	Roy C. Judd, State Teachers College, Eau Claire
Green Bay—2 sections	Reverend L. F. Jacobs, St. Norbert College, West DePere
Janesville—2 sections	Paul W. Holton, Chief Engineer, WCLO, Janesville
La Crosse—3 sections	Prof. Ross D. Spangler, State Teachers College, La Crosse
Madison	John H. Stiehl, Chief Engineer, WHA, Madison
Madison	Norman Hahn, Chief Engineer, WIBA, Madison
Manitowoc	W. E. Duben, Chief Engineer, WOMT, Manitowoc
Milton	Prof. Robert R. Randolph, Milton College, Milton
Oshkosh	Prof. James F. Duncan, State Teachers College, Oshkosh
Portage	Ross Hansch, Engineer, WIBU, Peynette
Racine	Francis L. Dechant, Chief Engineer, WRJN, Racine
Racine	G. L. Davidson, Engineer, WRJN, Racine
Rice Lake	R. S. Pearson, Chief Engineer, WJMC, Rice Lake
Sheboygan	Herbert J. Mayer, Radio Technician, WHBL, Sheboygan
Stevens Point	Prof. R. W. Rightsell, Central State Teachers College, Stevens Point
Superior	Randolph Luukinen, Chief Engineer, WDSM, Duluth, Minn.
West DePere	Reverend L. F. Jacobs, St. Norbert College, West DePere
Milwaukee—4 sections	Dr. Ross Bardell, Acting Director, University Extension Division, Milwaukee
Milwaukee	Prof. E. L. Cordes, Marquette University, Milwaukee

Wyoming

Five Wyoming cities have Radio Technician Training classes with an enrollment of 129. State Coordinator R. D. Goodrich, dean of engineering, University of Wyoming, Laramie, is in charge. Location and the instructors of the classes are shown below:

City	*Instructor*
Casper	Paul Huber, Engineer, KFDN
Cheyenne	William C. Grove, Engineer, KFBC
Laramie	G. H. Sechrist, chairman, Electrical Engineering, University of Wyoming
Powell	Lyle C. Tyler, Engineer, KPOW
Sheridan	R. F. Crossthwaite, Engineer, KWYO

New Appointments

Professor E. R. McKee, University of Vermont, Burlington, is the new State Coordinator. Professor Harold L. Daasch former coordinator has entered service.

George S. Johnson, Chief Engineer, KOB, Albuquerque, is the new industry representative for New Mexico.

Both appointments are in connection with the Radio Technician Training Program which has approximately 20,000 students enrolled.

TUBES DISCONTINUED

The WPB today ordered radio tube manufacturers to discontinue within seven days production for civilian use of 349 of the 710 types of radio tubes now on the market.

The WPB Radio Tube Unit explained that these 349 discontinued types represent duplicate, obsolete, and small-demand types of tubes. Their elimination will result in a saving in critical materials, man hours and machine hours.

The Radio Tube Unit of the WPB said that present inventories of discontinued types will be sufficient for civilian needs for at least two years. This stock will be added to by rejects from military production of the same types.

In the elimination of duplicate types, one of each group of duplicate types will be kept in production.

FCC RELAXES RULES

(Continued from page 227)

transmitter adjustments which may adversely affect the operation of a station.

3. Restricted radiotelephone—may operate a broadcast station under conditions set out in 2, provided the restricted license is properly endorsed by a field office of the FCC. If the restricted permittee holds a class A amateur license then he may secure the proper endorsement by application to a field office of the FCC. The endorsement may also be obtained by passing the radiotelephone examination on theory required to obtain a class A amateur license.

Potential sources of operators were given in April 10 NAB Reports. The relaxation provided in order number 91A should aid stations in tapping these various sources. Amateurs holding class A licenses should particularly be sought out. By obtaining a restricted radiotelephone license such men may operate broadcast stations. The requirements for a restricted radiotelephone operator permit are the ability to transmit and receive spoken messages in English and a knowledge of basic radio law. A class A amateur operator should therefore be able to obtain the proper license in a very short time. Stations in dire need of technicians should follow the suggestions made in the April 10 issue of the Reports.

"Rules Governing Commercial Operators" may be obtained from the Government Printing Office for five cents. "Study Guide and Reference Material for Commercial Radio Operator Examinations" may be obtained for fifteen cents. "Rules Governing Amateur Stations and Operators" is obtainable for ten cents. "Study Guide and Reference Material for Amateur Operator License Examination" may be obtained from the FCC.

RADIO WAR GUIDE

(Continued from page 227)

items. C and D classifications are suggested for broadcast when stations have an abundance of open time.

This first "War Guide" followed by a few days the OFF's announcement that "Program Priorities"—long sought by NAB—would be put into effect.

The OFF announcement follows:

America's 30 million radio listening families are scheduled for a better planned fare of government information after April 27 according to an announcement made today by the Office of Facts and Figures. "Fewer announcements, but better timing and planning of those which are made is the keynote of the new plan," according to Archibald MacLeish, director of the OFF, which has been designed by President Roosevelt as coordinator of government radio broadcasts.

"The broadcasting industry, advertisers, and their agencies have been cooperating wholeheartedly with the government ever since the war effort started," MacLeish said. "We have realized for some time that there is need for better direction to the announcements and information which the government must give to the people. The plan which is to go into effect on April 27 will space government announcements so the listener will not be fatigued mentally by excessive repetition; it will include the subjects which are important to the war effort; and it will call upon the ingenuity of the entire broadcast industry to present the information in the most effective manner possible."

Under the OFF plan, each night-time program on the networks will carry a government announcement once every four weeks; each daytime serial program on the networks will present an announcement once in two weeks. Information from the government will include such topics as purchase of War Bonds, pooling of cars, salvage of rubber, conservation of oil and gasoline, and recruiting. No definite allocation plan is provided for local station programs, but the station program managers will be provided every two weeks with a "Radio War Guide" classifying government messages in order of their importance.

The OFF plan will not affect news broadcast, public forums, or speeches by government officials. According to Mr. MacLeish, "Our function, as agreed upon, is to clear time for agencies of the government which have information important to the public, and to utilize the force and skill of the American system of broadcasting to provide the people of the nation with the information they must have to wage a total war."

The plan is the result of several weeks of consultation by the OFF radio division with representatives of the networks, individual stations, advertising agencies producing important radio programs, and government agencies presenting radio programs.

The Radio Division of OFF cooperated with the following committees in the development of the program:

Network Program Idea Committee: Charles Barry, Blue Network; Madeline Ensign, Mutual Broadcasting System; Clarence Menser, National Broadcasting Company; Charles Vanda, Columbia Broadcasting System.

Radio Committee of the Advertising Council: Heagen Bayles, Ruthrauff and Ryan; John Carter, Pedlar and Ryan; William Fricke, American Association of Advertising Agencies; John D. Humes, Lord and Thomas; John Mullen, Benton and Bowles; Arthur Pryor, Jr., Batten, Barton Durstine and Osburn; R. J. Scott, Schwimmer and Scott; A. K. Spencer, J. Walter Thompson; Frederic W. Wile, Jr., Young and Rubicam.

Station Advisory Committee: John Fetzer, chairman of the Committee on Defense Information of the National Association of Broadcasters; Neville Miller, President, National Association of Broadcasters; Eugene Pulliam, Network Affiliates, Inc.; John Shepard, Chairman, Broadcasters' Victory Council; James D. Shouse, Clear Channel Broadcasters; George B. Storer, National Independent Broadcasters; O. L. Taylor, Broadcasters' Victory Council.

Government Committee: Shannon Allen, Interior; Vincent Callahan, Treasury; Philip Cohen, OFF; J. Harrison Hartley, Navy; Jesse Irvin, Federal Security Agency; Wallace Kadderly, Agriculture; Edward Kirby, Army; Bernard Schoenfeld, War Production Board; E. A. Sheridan, Office of Civilian Defense; Major George Van der Hoef, Marines; Sylvester L. Weaver, Jr., Coordinator of Inter-American Affairs.

A statement of "Plans for the Coordination of the Government's Wartime Use of Radio" follows in full:

Few American institutions have responsibilities of war more serious than those that fall to radio. 57,000,000 sets in 30,300,000 homes reaching over 90% of the entire population provide a quick and effective means of telling the people what they must know, what they must do, to wage total war successfully.

To meet the emergencies of 1940 and 1941 the government turned to the radio industry more than ever before for help in bringing to the people quick and comprehensive understanding of crucial emergency measures. For many years the government had used radio for educational programs, but in the months before and just after Pearl Harbor this use reached an all-time high, especially in the sale of Defense Bonds and the recruiting of manpower.

Results have shown that no group in the country was more eager to serve than the radio industry, but as the volume and variety of government requests for help multiplied in all directions, it became apparent both to the industry and to the government that the successful use of radio for war information required careful planning.

Networks, stations, and program sponsors were being overwhelmed by a flood of requests for cooperation from dozens of government agencies, both national and local. There was no way of knowing the relative importance of the various requests, and sometimes the very authority of the agency or individual asking help was in doubt. Much of the material was badly prepared. There were many duplications within the government. Repetitive announcements irritated the audience, and reacted *against* the war effort. Government appeals for bond sales, enlistments, and so on were being over-emphasized; basic war information was not being emphasized enough.

In December the radio industry, through the National Association of Broadcasters, and through the various networks, asked for a central clearing point within the government. In January the President designated the Radio Division of the Office of Facts and Figures, under William B. Lewis, as such a clearing point.

With the help of surveys and monitoring studies, and after careful consultation with all those concerned, the Radio Division of OFF has developed a plan for cooperation between the government and radio. This plan has been endorsed by representatives of the radio industry and by government officials concerned with the use of radio. There follows an outline of the OFF plan:

1. There will be, starting April 27, a three month trial of a "Network Allocation Plan" developed by the Advertising Council for the systematic allocation, through OFF, of all government messages used on network programs, sustaining and sponsored. The messages involved will be those dealing with such subjects as War Bonds, recruiting, conservation of gas and rubber, anti-hoarding, et cetera. The principle of the Network Allocation Plan is that *all* established shows on *all* networks carry their fair proportion of wartime government messages. Each nighttime network program will carry as an *important* part of its show one government message each month; each daytime program will carry a government message each two weeks. The messages will be so scheduled each day as to avoid ineffective repetition and duplication. It is estimated that under this plan established network programs will provide for government messages an average of 90,000,000 listener impressions daily.

One result of the plan will be to reduce the *quantity* of demands coming to the producer of each sponsored and sustaining program, and to increase the *quality* of the government messages his program carries. Program producers are asked to use their maximum skill and ingenuity in helping to make government messages assigned to them important and effective.

In addition to eliminating confusion and duplication, the plan will place the responsibility for deciding on the relative importance of various government messages where it belongs—with the government. All networks and network advertisers have accepted the Allocation Plan.

2. Because the program schedules of local stations vary so greatly, it is impossible to extend to them the Allocation Plan developed for network programs. Instead there will be sent out, at two-week intervals, a Radio War Guide, indicating the relative importance of various government messages which local stations may wish to carry. With each Radio War Guide will go an advance Network Allocation Chart, so that each station manager may plan his own daily schedule of government announcements to avoid duplication.

3. Starting April 15, OFF will act as clearing point for all government requests for network radio time—for special government programs, that is, as distinguished from the information messages on established programs covered by the Allocation Plan.

4. OFF will clear all government activities relating to foreign language broadcasts for audiences within the United States.

5. In addition to the work of OFF as a clearing point from government to radio, there is another job of clearance, running the other way, from radio to government. On the one hand OFF clears official government information and requests; on the other it cooperates with the radio industry in the latter's work of interpreting the war to its listeners. This is work which includes channeling to radio information useful to the citizen as he tries to do his part, and background information leading to a clearer understanding of the war itself—its issues—our enemies and our allies—the job of production and sacrifice at home—the job of the fighting forces.

The work of radio in this general field includes both new programs and new material on old programs. The work of OFF is to meet the requests of the industry and its advertisers for government assistance in getting information and government advice on the treatment of war material.

One outstanding new program is "This Is War," a half-hour program on Saturdays at 7:00 EWT on all four major networks. On this program, the combined talent of American radio has been given to the task of dramatizing the varied aspects of America's war effort. Twenty-five more new program series dealing with the nature of the war, some sponsored by private advertisers, some sponsored by government agencies, some carried by the networks as public service, are on the air or in preparation.

6. OFF is developing with the Hollywood Victory Committee and other talent groups an orderly system for the use of box-office stars on these programs.

7. According to the radio industry, there is need for clear, specific war information of various kinds on informational programs either planned or already on the air. These programs want carefully prepared government information (more detailed than what goes into the allocated messages) on such subjects as conservation, health, employment, and all the big and little ways in which the war affects the citizen and makes demands on him. OFF, working with other government agencies, is attempting to clarify and channelize this information for the benefit of the radio audience.

The Radio Division of OFF, then, is the meeting point of government and the radio industry, aiming to help both in their respective war responsibilities. There are several things, however, which OFF does not do. It does not concern itself with the supervision of spot war news as reported over the air; it does not concern itself with the free speech of radio as expressed in forums; it does not produce programs of its own, nor direct the production or suppression of others. Certainly OFF does not aim to interfere with radio in its great function of providing entertainment to the public. On the contrary, it hopes by careful planning to prevent the kind of irritation that grows out of appeals and messages of great quantity and little quality. All that OFF does is done as a designated government agency working to coordinate government radio effort, and depending entirely on the advice and cooperation of radio men in all branches of the industry. That this cooperation has been thorough-going and effective is a tribute to the radio industry.

The following are the Committees which have worked with OFF in the development of its program:

Network Program Idea Committee

Charles Barry, Eastern Program Manager, Blue Network
Madeline Ensign, Mutual Broadcasting System
Clarence Menser, Program Manager, National Broadcasting Company
Charles Vanda, War Program Manager, Columbia Broadcasting System

Radio Committee of the Advertising Council

Heagen Bayles, Ruthrauff and Ryan
John Carter, Pedlar and Ryan
William Fricke, American Ass'n Advertising Agencies
John D. Hymes, Lord and Thomas
John Mullen, Benton and Bowles
Arthur Pryor, Jr., Batten, Barton, Durstine and Osborn
R. J. Scott, Schwimmer and Scott
A. K. Spencer, J. Walter Thompson
Frederic W. Wile, Jr., Young and Rubicam.

Station Advisory Committee

John Fetzer, Chairman of the Committee on Defense Information, National Ass'n of Broadcasters
Neville Miller, President, National Ass'n of Broadcasters
Eugene Pulliam, Network Affiliates, Inc.
John Shepard, Chairman, Broadcasters Victory Council
James D. Shouse, Clear Channel Broadcasters
George B. Storer, National Independent Broadcasters
O. L. Taylor, Broadcasters Victory Council.

Government Committee

Shannon Allen, Interior
Vincent Callahan, Treasury
Philip Cohen, Office of Facts and Figures
J. Harrison Hartley, Navy
Jesse Irvin, Federal Security Agency
Wallace Kadderly, Agriculture
Edward Kirby, Army
Bernard Schoenfeld, War Production Board
E. A. Sheridan, Office of Civilian Defense
Major George Van der Hoef, Marines
Sylvester L. Weaver, Jr., Coordinator of Inter-American Affairs.

WROK HELPS PRODUCTION

"Soldiers of Industry" in 54 war factories of the Rockford area received personal tribute from the Army's mid-western ordinance chief, Wednesday, April 22, by radio as broadcast by WROK, from a banquet room in Hotel Faust.

One hundred fifty key men of the 54 industries, which employ 25,000, were present to hear Col. Donald Armstrong. Forty-four Rockford factories arranged to carry his 30-minute address by radio and 10 more in the southwestern and northcentral Illinois territory of the Rockford ordinance office also joined the hookup.

S. A. FLYERS ON KOY SHOWS

A feature of the Pan-American Day observation by KOY, Phoenix, were two special broadcasts on April 14 in which aviation cadets from Guatemala, Costa Rica, Honduras, Nicaragua, Cuba, Dominican Republic, Haiti and Brazil appeared upon completion of their training at Phoenix Sky Harbor. These men will return to their own countries to teach others to fly. Other participants in the broadcast were Governor Sydney P. Osborne and C. J. Carreon, state director for the Committee for Americanization and Inter-American Solidarity.

LIKE "COMMAND PERFORMANCE"

The morale value of "Command Performance," broadcast by shortwave to U. S. soldiers, sailors and marines stationed at foreign bases and outposts is indicated by the large number of letters which have been received by E. M. Kirby, chief, Radio Branch of the War Department.

While a selection of quotations from letters received was distributed to broadcast stations and participating artists this week, it was only a very small sample.

NEW AIR FORCE RESERVE

The Radio Branch of the War Department, Bureau of Public Relations, has mailed all stations initial information concerning plans for the enlisting of college students in the Air Force Enlisted Reserve. The mailing was accompanied by a note from Jack Harris, director of News and Special Events. The purpose is to have complete information in the files of broadcast stations ready for the time that the campaign becomes localized. Mr. Harris estimated that the Air Force Public Relations officers will visit approximately 150 cities within the next 30 days in company with the examining boards.

The purpose of the new move is explained by Lieut. General Arnold's statement that: "The successful prosecution of the war demands the creation of an Air Force second to none."

MORALE SHOW TO CONTINUE

"You Can't Do Business with Hitler" is to be continued indefinitely. Stations which wish to offer this series for sponsorship may secure a copy of the modest restrictions by writing Bernard Schoenfeld, chief, Radio Section, WPB, Room 2735, Temporary Building R, Washington, D. C. Eighteen programs have already been cut.

LIEUT. LEVY IS RADIO OFFICER

Acording to advice from the Navy, there is one error in the confidential "Public Relations Staff Organization" data published in War Service Bulletin No. 10. Lieutenant Leon Levy, USNR, is the Public Relations Officer for Radio, Fourth Naval District, Philadelphia, instead of the officer shown.

FEDERAL COMMUNICATIONS COMMISSION

Chairman Fly Discusses Construction Order

FCC Chairman James Lawrence Fly at a press conference early this week said that the FCC will probably act promptly on the suggestion made by DCB that no further grants be made on new radio stations of changes.

Mr. Fly said that it is possible that WPB will issue some statement on the DCB recommendations but he did not believe that this would effect the action of the FCC. Mr. Fly said he did not know at that time whether FCC would take action before the WPB statement or not. "I don't know whether under the circumstances we will wait for WPB order or not," he said and continued, "I don't think that any great policy will emerge from WPB necessarily so I don't think it is a matter of any great concern as to what order such action is taken."

Asked where proposed new stations which have been given grants by the Commission stand in this case or where any changes have been granted to present stations Mr. Fly said "where they require no further authorization, they can go ahead and complete the construction, that is, if they have all the materials and don't have to get any government assistance to complete the job." In this connection the chairman said that he did not believe that the Commission would rescind any of its former action and said, "of course the problem in itself may in effect rescind some grants simply because the stations who have those outstanding grants may not in every case have the full materials necessary and they would not be able to get much comfort out of Washington if they are in need of materials."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 27. They are subject to change.

Monday, April 27

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—C. P., **580 kc.;** 1 KW; DA-night; unlimited time.

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—C. P., **1490 kc.;** 250 watts; unlimited time.

Tuesday, April 28

Further Hearing

NEW—Portsmouth Radio Corp., Portsmouth, Va.—C. P., **1490 kc.;** 250 watts; unlimited time.

Consolidated Hearings

NEW—Lake Shore Broadcasting Corp., Cleveland, Ohio.—C. P., **1300 kc.;** 5 KW; unlimited time; DA-night and day.

NEW—Cleveland Broadcasting, Inc., Cleveland, Ohio.—C. P., **1300 kc.;** 5 KW; unlimited time; DA-day and night.

Wednesday, April 29

WDNC—Durham Radio Corp., Durham, N. C.—C. P., **620 kc.;** 1 KW night; 5 KW day; DA-day and night; unlimited time.

Wednesday, April 29

Oral Argument Before the Commission

Report No. B-140

WNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Modification of license, **830 kc.;** 1 KW; DA-daytime; specified hours.

Wednesday, April 29

Oral Argument Before the Commission

Report No. B-140

State of Minnesota, St. Paul, Minn.

Friday, May 1

Further Hearings

NEW—Camden Broadcasting Co., Camden, N. J.—C. P., **800 kc.;** 500 watts; daytime.

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—Modification of C. P., **860 kc.;** 500 watts day; daytime.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WTBO—Leon E. Pamphilon (Transferor), Frank V. Becker (Transferee), Cumberland, Md.—Granted consent to acquisition of control of Associated Broadcasting Corp., Station WTBO, Cumberland, Md., through the sale of 124 shares (49.6%) common stock by Leon E. Pamphilon (transferor) to Frank V. Becker (transferee); proposed consideration to be paid is $22,500 (B1-TC-290).

WBRY—American-Republican, Inc., Waterbury, Conn.—Granted construction permit to move transmitter locally, using 1 KW transmitter (Granted in lieu of request for special service authorization B1-SSA-31.)

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted petition for rehearing directed against the Commission's action of March 3, 1942, and the order dated March 3 dismissing "with prejudice" the application of KWK for construction permit (B4-P-2364) was modified so as to dismiss said application "without prejudice."

KIRO—Queen City Broadcasting Co., Seattle, Wash.—Granted petition for rehearing directed against the action of the Commission of October 28, 1941, granting the application of Fisher's Blend Station, Inc. (KJR), Seattle, Wash., for construction permit to operate at "Burien Lake site," and said order of October 28, 1941, was modified so as to require KJR, within 30 days from date of present order, to submit an application for modification of the construction permit heretofore issued, specifying a site complying with Section 4 of the Commission's Standards of Good Engineering Practice.

DESIGNATED FOR HEARING

Eastern Pennsylvania Broadcasting Corp., Scranton, Pa.—Designated for hearing application for construction permit for new station to operate on **590 kc.**, 5 KW, using directional antenna during nighttime, unlimited (B2-P-3411).

Aloha Broadcasting Co., Ltd., Honolulu, T. H.—Designated for hearing application for construction permit for new station to operate on **1400 kc.**, 250 watts, unlimited time (B-P-3353).

WHAL—Harold F. Gross and Edmund C. Shields, Saginaw, Mich. —Designated for hearing application for modification of construction permit for extension of time to construct WHAL (B2-MP-1541).

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Designated for hearing application for modification of construction permit for extension of completion date (B2-MP-539).

LICENSE RENEWALS

Licenses for the following stations were extended upon a temporary basis for the period ending June 1, 1942, pending determination upon application for renewal of licenses:

KBST, Big Springs, Tex.; KCMC, Texarkana, Tex.; KFJB, Marshalltown, Iowa; KGGF, Coffeyville, Kans.; KGHL, Billings, Mont.; KGIW, Alamosa, Colo.; KGKL, San Angelo, Tex.; KGU, Honolulu; KMTR, Los Angeles; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KVRS, Rock Springs, Wyo.; KWKH, Shreveport, La.; KWLK, Longview, Wash.; KXL, Portland, Ore.; WBRB, Red Bank, N. J.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WCOC, Meridian, Miss.; WFDF and auxiliary, Flint, Mich.; WFMD, Frederick, Md.; WFPG, Atlantic City, N. J.; WGR, Buffalo, N. Y.; WGRM, Greenwood, Miss.; WJMA, Covington, Va.; WKAQ, San Juan, P. R.; WKAQ, auxiliary; WKBW and auxiliary, Buffalo, N. Y.; WMFJ, Daytona Beach, Fla.; WMIS, Natchez, Miss.; WORK, York, Pa.; WSPB, Sarasota, Fla.; WSUI, Iowa City, Iowa.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted renewal of license upon a temporary basis only and upon the express condition that it is subject to whatever action may be taken by the Commission upon the pending application for renewal, and it shall not be construed as a finding by the Commission that the operation of the station is or will be in the public interest beyond the express terms hereof.

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted renewal of license upon a temporary basis only and upon the express condition that it is subject to whatever action may be taken by the Commission upon the pending application for renewal, and it shall not be construed as a finding by the Commission that the operation of the station is or will be in the public interest beyond the express terms hereof.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Granted renewal of license for main and auxiliary transmitter for the period ending August 1, 1942.

WGCM—WGCM, Inc., Gulfport, Miss.—Granted renewal of license for the period ending April 1, 1943.

KGMB—Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—Granted renewal of license for main and auxiliary transmitters for the period ending June 1, 1944.

KALW—Board of Education of the San Francisco Unified School District, San Francisco, Calif.—Granted renewal of license for the period May 1, 1942, and ending May 1, 1943.

WBKY—University of Kentucky, Beattyville, Ky.—Granted extension upon a temporary basis only, pending determination upon application for renewal of license, not later than June 1, 1942.

WBOE—Cleveland City Board of Education, Cleveland, Ohio.—Granted extension upon a temporary basis only, pending determination upon application for renewal of license, not later than June 1, 1942.

Granted extension upon a temporary basis only, pending determination upon the applications for renewal of licenses, in no event later than June 1, 1942, of following station licenses:

W45V, Evansville, Ind.; W47NV, Nashville, Tenn.; W51C, Chicago, Ill.

W51R—Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y.—Granted renewal of license for the period beginning May 1, 1942, and ending May 1, 1943.

Granted extension of license upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, in no event later than June 1, 1942, of following:

W3XDD, W3XPY, Whippany, N. J.; W8XC, near Mason, Ohio; W9XER, Kansas City, Mo.; W10XF (portable), W10XR (portable-mobile).

Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of licenses, in no event later than June 1, 1942, of following:

W2XWE, Albany, N. Y.; W8XUM, Columbus, Ohio; W9XZY, St. Louis, Mo.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1942, of license of Station W5XAU.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1942, of license of Station W9XLA.

MISCELLANEOUS

The Constitution Broadcasting Co., Atlanta, Ga.—Granted motion for postponement of hearing now set for May 7 to June 8, in re application of Bob Jones College, Inc., and The Constitution Broadcasting Co. for a new station in Cleveland, Tenn., and Atlanta, Ga., respectively.

WBNX Broadcasting Co., Inc., New York City.—Denied petition for 30-day postponement of hearing now set for April 20, in re seven applications for FM station in New York City.

The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted motion for leave to amend application for FM station to change location to Mt. Shaw, with power of 10 KW, on condition that amendment is filed within 10 days; request for removal from hearing docket dismissed without prejudice.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance to May 21 of hearing now scheduled for April 20, on application for modification of license to operate on **1230 kc.**, 250 watts, unlimited time.

Albert S. and Robert A. Drohlich, d/b as Drohlich Bros., Jefferson City, Mo.—Granted petition to cancel hearing now set for June 2, in re application for new station, and dismissed same without prejudice.

FM Radio Broadcasting Co., Inc., New York City.—Granted petition for dismissal of application (B1-PH-78) for new FM station.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Granted petition to dismiss application to install duplicate main transmitter (B1-P-3421).

The McKeesport Broadcasting Co., Inc., McKeesport, Pa.—Granted motion to accept applicant's late appearance in re his application for new station.

WBAM, Inc., Birmingham, Ala.—Granted petition to cancel further hearing now set for April 23, and dismiss application (B3-P-3182) without prejudice.

South Florida Broadcasting, Inc., Miami, Fla.—Granted motion for 30-day continuance of hearing now scheduled for April 17, in re application for new station; hearing to be held May 22.

WWNY—The Brockway Co., Watertown, N. Y.—Granted modification of construction permit to change type of towers from three Lehigh, self-supporting, tapered, structural steel, vertical radiators, insulated at the base, to Wincharger, uniform, cross-section, guyed.

WJAR—The Outlet Co., Providence, R. I.—Granted license (B1-L-1644) to cover construction permit (B1-P-3439) for changes in and move of old transmitter to site of new main transmitter, for use as auxiliary transmitter, power of 1 KW, emergency use only.

WRNL—Richmond Radio Corp., Richmond, Va.—Granted license (B2-L-1616) to cover construction permit (B2-P-2995) for installation of new transmitter, increase in power, and changes in directional antenna system for night use. Also authority to determine operating power by direct measurement of antenna input (B2-Z-1349).

WHAQ—National Broadcasting Co., Inc., Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1376).

W41MM—Gordon Gray, Winston-Salem, N. C.—Granted modification (B3-MPH-80) of construction permit (B3-PH-76 for new FM station), for extension of completion date from April 14 to October 14, 1942.

WAAB—The Yankee Network, Inc., Worcester, Mass.—Granted modification (B1-MP-1552) of construction permit (B1-P-3194) for approval of directional antenna for day and night use.

W53H—The Travelers Broadcasting Service Corp., Hartford, Conn. —Granted modification of construction permit as modified, for new high frequency broadcast station, for extension of completion date only, from April 28 to October 28, 1942 (B1-MPH-87).

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Denied request of Station KOB for notification to the OIR (Inter-American Radio Office) of assignment of frequency **770 kc.** as Class I-B station.

W2XYN-W2XYO—Columbia Broadcasting System, Inc., New York City.—Canceled outstanding construction permits for ST broadcast stations, deleted call signals, and retired to the closed files of the Commission all records pertaining to these stations, because of applicant's inability to obtain necessary equipment to complete construction.

Robert V. Lee, Bradenton, Fla.—Denied petition to cancel hearing (scheduled for April 24) and determine application for new station to operate on **1490 kc.** with 250 watts power.

WOW—Woodmen of the World Life Insurance Society, Omaha, Nebr.—Denied petition for Stay pending final determination of appeal from the decision of the Commission, November 25, 1941, granting the application of WKZO, Inc. (WKZO), Kalamazoo, Mich., for construction permit to make changes in directional antenna, increase night power from 1 KW to 5 KW, on the frequency **590 kc.**

Broadcasters, Inc., San Jose, Calif.—Denied petition for rehearing directed against the action of the Commission, January 6, 1942, granting without hearing the application of Merced Broadcasting Co. (KYOS), Merced, Calif, for construction permit to change frequency from **1080** to **1490 kc.,** increase hours of operation from daytime to unlimited time with power of 250 watts, and make changes in transmitting equipment.

Portland Broadcasting System, Inc., Portland, Mo.—Placed in pending file pursuant to Order No. 79, application for construction permit for new station (B1-PH-116).

W81SP—Westinghouse Radio Stations, Inc., Springfield, Mass.—The Commission deleted call signals W81SP and closed the record with respect to high frequency (FM) broadcast station authorized on February 18, 1941 (B1-PH-64) since no application for modification of construction permit has been filed within the specified time.

American Network, Inc., New York City, N. Y.—Denied petition to reconsider and grant without hearing its application for construction permit for new station, which was designated for hearing on March 2, 1942.

WGEO—General Electric Co., So. Schenectady, N. Y.—Granted construction permit to install a new transmitter for International broadcast station AGEO (B1-PIB-36).

WPDQ—Jacksonville Broadcasting Co., Jacksonville, Fla.—Granted modification of construction permit (B3-P-3385) for approval of directional antenna.

APPLICATIONS FILED AT FCC

620 Kilocycles

KWFT—Wichita Broadcasting Co., Wichita Falls, Tex.—Modification of license to increase power from 1 KW night, 5 KW day to 5 KW day and night. Amended: to make changes in directional antenna and use directional antenna night only.

740 Kilocycles

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—License to cover construction permit (B5-P-3399) for changes in directional antenna system.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Authority to determine operating power by direct method.

770 Kilocycles

WDAE—Tampa Times Co., Tampa, Fla.—Special service authorization to change frequency from **1250** to **770 kc.** and operate with present facilities of 5 KW, unlimited hours, directional antenna.

780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-P-3467) for new transmitter, move transmitter, antenna changes, requesting changes in transmitter, move present antenna to new site specified in construction permit and extend completion date to 180 days after grant.

790 Kilocycles

WEAN—The Yankee Network, Inc., Providence, R. I.—License to cover construction permit (B1-P-3244) which reinstated construction permit for increase in night power and changes in directional antenna for day and night use.

WEAN—The Yankee Network, Inc., Providence, R. I.—Authority to determine operating power by direct method.

810 Kilocycles

NEW—Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane, d/b as Hoosier Broadcasting Co., Indianapolis, Ind.—Construction permit for a new station to be operated on **810 kc.,** 250 watts, daytime. Amended: to change requested power from 250 watts to 1 KW and change type of transmitter.

850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—License to use old main transmitter as auxiliary transmitter with power of 1 KW.

930 Kilocycles

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—License to cover construction permit (B5-P-3341) for move of auxiliary transmitter.

1090 Kilocycles

WBAL—WBAL Broadcasting Co., Baltimore, Md.—License to cover construction permit (B1-P-3319) to move old main transmitter to site of new main transmitter, for emergency use only, as auxiliary transmitter.

WBAL—WBAL Broadcasting Co., Baltimore, Md.—Authority to determine operating power by direct method.

1110 Kilocycles

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Construction permit to install a directional antenna for night use, install new transmitter and move transmitter to 3 miles N. E. of Lowesville, N. C. Amended: to request new transmitter location at (Rural) 2¼ miles N. E. of Stanley, N. C.

1230 Kilocycles

NEW—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Tex.—Construction permit for a new broadcast station to be operated on **1230 kc.,** 250 watts, unlimited time. Amended: to change name of applicant from Beauford H. Jester to Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling and change type of transmitter.

1250 Kilocycles

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Modification of construction permit (B3-P-2985, as modified, to install new transmitter and directional antenna for night use, change in frequency, increase in power and move transmitter) for extension of completion date from 4-21-42 to 5-21-42.

1270 Kilocycles

WPDQ—Jacksonville Broadcasting, Jacksonville, Fla.—Modification of construction permit (B3-P-3385, for a new station) for approval of directional antenna.

1300 Kilocycles

NEW—Eastern Broadcasting Co., Long Island, N. Y.—Construction permit for a new broadcast station to be operated on **1300 kc.**, 250 watts, unlimited hours. Amended: to request **1520 kc.**, 1 KW, limited time (WKBW), new transmitter, antenna changes, studio and transmitter sites to be determined, Long Island, N. Y.

1400 Kilocycles

WBTM—Piedmont Broadcasting Corp., Danville, Va.—License to cover construction permit (B2-P-3217) for increase in night power, new antenna and move.

WJLD—J. Leslie Doss, Bessemer, Ala.—License to cover construction permit (B3-P-2642) as modified for a new broadcast station.

WJLD—J. Leslie Doss, Bessemer, Ala.—Authority to determine operating power by direct method.

WBTM—J. Leslie Doss, Bessemer, Ala.—Authority to determine operating power by direct method.

WATW—WJMS, Inc., Ashland, Wisc.—Modification of license to change name to Upper Michigan-Wisconsin Broadcasting Company, Inc.

1460 Kilocycles

WHP—WHP, Incorporated, Harrisburg, Pa.—License to cover construction permit (B2-P-3394) to install auxiliary transmitter for emergency use only, with power of 500 watts.

1470 Kilocycles

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Modification of construction permit (B2-P-2637) as modified, which authorized new transmitter, directional antenna for day and night use, increase in hours and power, requesting extension of completion date from 5-10-42 to 11-10-42.

FM APPLICATIONS

W45CM—WBNS, Incorporated, Columbus, Ohio.—License to use transmitter formerly licensed to experimental high frequency broadcast station W8XVH as an auxiliary transmitter with power of 250 watts.

W53D—WJR, The Goodwill Station, Detroit, Mich.—Modification of construction permit (B2-PH-28) for a new high frequency broadcast station, requesting extension of completion date from 5-16-42 to 11-16-42.

NEW—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—Construction permit for a new high frequency broadcast station to be operated on **47700 kc.**, 9,300 square miles, 3,992,850 population.

MISCELLANEOUS APPLICATIONS

NEW—Maine Broadcasting Co., Ltd., Bangor, Maine.—Modification of construction permit (B1-P-2868, as modified, which authorized increase in power, installation of new equipment and directional antenna for day and night use) for extension of completion date from 6-11-42 to 12-11-42.

W2XI—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-PVB-88) for new television relay broadcast station.

W9XJC—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Modification of construction permit (B4-PST-2, which authorized new ST broadcast station) for extension of commencement and completion dates from 12-14-41 and 6-14-42 to 12-14-42 and 6-14-43, respectively.

KGKF—KGKL, Inc., Portable-Mobile.—License for reinstatement of relay broadcast station which expired 10-1-41.

WJWA—Birney Imes, Portable-Mobile.—License to cover construction permit (B3-PRY-258) for a new relay broadcast station.

NEW—Larus and Bros. Co., Inc., Richmond, Va.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 40 watts, A-3 emission.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Associated Distributors, Inc.—A complaint charging misrepresentation of a cosmetic designated "Chen Yu Nail Lacquer" has been issued against Associated Distributors, Inc., 30 West Hubbard St., Chicago. (4749)

Master Herb Company—Misrepresentation of the therapeutic value of Chinese herbs is alleged in a complaint issued against Edwin Tom, also known as Shing Tom and Kim Fong Tom, trading as Master Herb Co., 215 West 9th St., Los Angeles. (4748)

A. P. W. Paper Co., Inc., Albany, N. Y., is charged in a complaint with misrepresentation in the sale of toilet tissue and paper towels through the use of the name and emblem of the American Red Cross Society in labeling and advertising its products. (4747)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Alfield Co., 53 West Jackson Blvd., Chicago, manufacturer of a garment cleaning fluid designated "Spot Chek," stipulated that he will cease and desist from the use in advertisements of such statements as "Removes Lipstick Stains" to imply that the product will have the effect of preventing or completely removing lipstick stains from all kinds of fabric materials. The respondent also agrees to discontinue use of the statement "Leaves no rings," or of any similar representation which tends to convey the belief that the product when applied only to the stain to be removed from certain kinds of garments, such as silk or rayon, will leave no ring or will not cause a resultant discoloration. (3454)

Allied Kid Co., 209 South St., Boston, engaged in the tanning business, entered into a stipulation to discontinue using the words "Alligator Doeskin" as descriptive of leather made from hides other than alligators and embossed to simulate the alligator grain. (3463)

Carob Products Co., 50 West Broadway, Columbus, Ohio, stipulated that it will cease and desist from representing that the antiseptic preparation he sells under the name "Thypernol" has five times the killing power of carbolic acid; that it may be freely used on burns and that its use, as a first aid application to wounds, will arrest dangerous infections instantly; that it will effectively kill germs even though it be diluted 400 times; that it is effective against athlete's foot and will relieve pain; that it contains no drugs; and that it is absolutely non-poisonous, unless this last representation is properly qualified. (3460)

Clopay Corp., Clopay Square, Cincinnati, manufacturer of household articles, including Venetian blinds, agrees to discontinue representing that the slats of the blinds are composed of chestnut fiber and to cease using in advertisements the word "Chestnut" to convey the impression that the slats so described contain chestnut either in whole or in any substantial quantity. (3453)

David M. Conn, 1265 Broadway, New York, wholesaler of hosiery, including "Dr. McKenzie's Sanitary Health Sox," stipulated that he will cease and desist from using in the trade name for his hosiery the abbreviation "Dr." or the word "Doctor," either with or without the word "McKenzie," to imply that there is a physician connected with the manufacture thereof or that such merchandise has been made under the supervision of a physician. The respondent further agrees to stop using the word "Health" as part of the trade name or as descriptive of hosiery products or any other word or assertion which may imply that such hosiery has special health features capable of warding off or ameliorating disease or pain. (3457)

Heather-Mathews Co., Inc., 411 Fifth Ave., New York, entered into a stipulation to cease and desist, in connection with the sale of silverware and other merchandise, from using the term "list prices" to refer to prices which are not bona fide retail prices established by actual retail sales of such or similar products sold in the usual course of business; and to discontinue use of the word "manufacturing" to describe its business or to imply that it manufactures the products it sells. The respondent also agrees to stop representing that a fictitious or marked-up price is a "low" price or is the customary price of such products, or that any persons or organizations are granted discounts of any stated percentage not actually based upon bona fide list or retail prices. (3458)

Merritt Shoe Co., Inc., 178 Lincoln St., Boston, stipulated that it will cease and desist from use of the words "Dr. Merritt's Health Shoes" as a stamp or brand for children's shoes; and from use of the word "Doctor" or the abbreviation "Dr.," either alone or with a name or with the word "Health," as a designation for its shoes, or in any other manner implying that such shoes have been made in accordance with the design or under the supervision of a physician or that they contain special scientific, orthopedic or health features which are the result of medical determination or services. (3461)

Milton Paper Co., Inc., 124 West 24th St., New York, stipulated that, in the sale of stationery, it will cease and desist from the use of the term "linen" as a brand name or watermark for paper commodities which are not made from linen. (3462)

Barry Morell Manufacturing Co., Inc., 591 Broadway, New York, entered into a stipulation to cease and desist from misbranding men's rayon shirts with labels bearing the descriptive terms as "True-Glo Crepe" or "True-Silko" and "Full Shrunk." (3465)

Research, Inc., 1680 Alton Road, Miami, Fla., has entered into a stipulation to discontinue representing that its "Des-Tex" dry cleaning fluid "mothproofs as it cleans" fabrics to which it is applied, and to cease using the word "mothproof" in any manner implying that the product will render fabrics immune from the attacks of moths. (3459)

Richards, Boggs & King, Inc., Merchandise Mart, Chicago, has entered into a stipulation to cease and desist, in the sale of bowl covers it manufactures from a synthetic material called "Pliofilm," from using the word "odorless" or any other term of similar meaning to describe bowl covers which are not free from odor. (3464)

Sparks-Withington Co., Jackson, Mich., has entered into a stipulation to discontinue certain representations in connection with the sale of "Sparton Sting-Ray Electric Fence Controllers," used for confining livestock. (02969)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Houbigant, Inc., Cheramy, Inc., and Houbigant Sales Corp., all located at 539 West 45th St., New York, have been ordered to cease and desist from misrepresentation in the sale of perfumes, colognes and other toilet preparations. (3343)

Parker-Thompson Company—Orders to cease and desist from selling or otherwise disposing of merchandise by means of lottery schemes have been issued against Albert Rose, trading as Parker-Thompson Co., 1205 I St., N. W., Washington, D. C. (4699), and J. D. Fine, trading as J. D. Fine Candy Co., 222 Northwest Fourth St., Oklahoma City, Okla. (4709)

Penn-Lub Oil Products Co., 85 Gotthart St., Newark, N. J., has been ordered to cease and desist from misrepresentation of reclaimed motor oils it sells to dealers for resale to the public. (4564)

NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 18, May 1, 1942

CONVENTION PROGRAM

Paul V. McNutt, Chairman of the newly appointed War Manpower Commission and Federal Security Administrator, and Archibald MacLeish, Director of the Office of Facts and Figures, are slated to address luncheon meetings of the NAB Convention at Cleveland, May 11-14.

Byron Price, Director of Censorship, will address the opening session on the subject "Radio and the War".

Headlining a convention program packed with meat for practical broadcasters, covering all angles of the wartime aspects of broadcasting, these men, posted in positions of power in relation to radio's all-out war effort, will bring to the convention messages of intense interest to all.

Program

20TH ANNUAL CONVENTION

National Association of Broadcasters
Hotel Statler, Cleveland
May 11-14, 1942

SUNDAY, MAY 10

12:00 Noon	Sales Managers' Executive and General Committees	Parlor E
12:30 p.m.	Broadcast Music, Inc., Board of Directors Luncheon	Parlor D
2:00 p.m.	Research Committee	Parlor H
	Engineering Committee	Parlor F
	NAB Bureau of Copyrights, Board of Directors	Parlor B
3:00 p.m.	Code Committee	Parlor D
4:00 p.m.	Wages and Hours Committee	Parlor M
	Accounting Committee	Parlor H
7:00 p.m.	NAB Board of Directors Dinner	Lattice Room
8:00 p.m.	Labor Committee	Tavern Room

MONDAY, MAY 11

10:30 a.m.	BUSINESS SESSION Neville Miller, Presiding President's Annual Report Announcement of Convention Committees Secretary-Treasurer's Annual Report Proposed By-Law Amendments	Pine-Euclid Room
10:45 a.m.	"RADIO AND THE WAR" Byron Price, Director, Office of Censorship INFORMATIONAL CLINIC J. Harold Ryan, Assistant Director, Office of Censorship Major General A. D. Surles, Director, Bureau of Public Relations, War Department	

(Continued on page 242)

CLEVELAND HOTEL RESERVATIONS

John Patt, Chairman of the NAB Housing Committee, reports that there are no more rooms or suites available at the Statler Hotel. There are a few rooms left at the Cleveland. Both suites and rooms are still available at the Carter and the Hollenden. If you plan to attend the Convention and have not yet made your reservations, write or wire NAB Housing Committee, 1604 Terminal Tower, Cleveland.

NAB Reports
The National Association of Broadcasters
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

PROGRAM

(Continued from page 241)

	Rear Admiral A. J. Hepburn, Director, Office of Public Relations, Navy Department Major General F. G. Beaumont-Nesbitt, British Army Staff Earl J. Glade, Chairman, NAB Code Committee	
12:45 p.m.	LUNCHEON Speaker, Archibald MacLeish, Director, Office of Facts and Figures	Grand Ball Room
2:30 p.m.	Department of Broadcast Advertising - Sales Managers "Radio Advertising for Department Stores" Panel: Richard G. Meybohm, Manager, Sales Promotion Division, National Retail Dry Goods Association, New York. Barclay W. Newell, Sales Manager, William Taylor Sons & Company, Cleveland, Ohio Edgar L. Rice, Sales Promotion Manager, A. Polsky Company, Akron, Ohio James W. Petty, Jr., Publicity Director, H. & S. Pogue Company, Cincinnati, Ohio	Pine-Euclid Room
2:30 p.m.	Network Affiliates, Inc.	Salle Moderne
4:30 p.m.	Independent Radio Network Affiliates	Parlor E
7:00 p.m.	NAB War Committee	
8:00 p.m.	Labor Relations Clinic Panel: Joseph L. Miller, NAB Labor Relations Director	Room 345

TUESDAY, MAY 12

8:30 a.m.	BREAKFAST SESSIONS	
	"WAGES AND HOURS" NAB Labor Relations Department	Parlor D
	"PROTECTION OF PROPERTY FROM SABOTAGE, FIRE AND THEFT," J. D'Agostino, National Broadcasting Company	
	NAB Engineering Department	Parlor A
	"WHAT BURNS US UP" Radio Executive Club of New York City NAB Department of Broadcast Advertising	Cleveland Ad Club Dining Room
	CENSORSHIP CLINIC Panel: J. Harold Ryan, Assistant Director of Censorship Captain L. P. Lovette, Office of Public Relations, Navy Department Major General A. D. Surles, Director, Bureau Public Relations, War Department Major General F. C. Beaumont-Nesbitt, British Army Staff	Room 345
	OFF ROUND TABLE "THE FOUR THEMES," William B. Lewis, Assistant Director in Charge of Operations, Office of Facts and Figures Philip Wylie, Office of Facts and Figures "PROGRAM COORDINATION," Douglas Meservy, and Seymour Morris, Office of Facts and Figures	Parlors F, G and H
	TIRE PRIORITIES NAB Legal Department	
10:30 a.m.	BUSINESS SESSION Neville Miller, Presiding "PRIORITIES, MEN AND MATERIALS" "The Selective Service Act," Brigadier General Lewis B. Hershey, Director, Selective Service System "The OPA," Joel Dean, Chief, Fuel Rationing Division, OPA DISCUSSION	Euclid-Pine Room
12:45 p.m.	LUNCHEON	Grand Ball Room
2:30 p.m.	BUSINESS SESSION Neville Miller, Presiding "MUSIC" Panel: Sydney Kaye, Vice President, General Counsel, Broadcast Music, Inc. Merritt E. Tompkins, Vice President, General Manager, Broadcast Music, Inc. Carl Haverlin, Vice President, Station Relations, Broadcast Music, Inc. John Paine, General Manager, American Society of Composers, Authors & Publishers Leonard D. Callahan, General Counsel, SESAC	Euclid-Pine Room
	OPEN FORUM	
	WARTIME RADIO ADVERTISING Eugene Carr, Chairman, NAB Sales Managers Committee, Presiding	Grand Ball Room

	"SELLING WITH SURVEYS" Dr. Harry Dean Wolfe, Director, Bureau Business Research, Kent State University, Kent, Ohio	
	"SHOOT THE WORKS" Gene Flack, General Sales Department, Loose-Wiles Biscuit Company, Long Island City, New York	
	OPEN FORUM	
4:00 p.m.	Clear Channel Broadcasting Service	Tavern Room
	Local Channel Stations	Room 345

WEDNESDAY, MAY 13

8:30 a.m.	BREAKFAST SESSIONS	
	"COLLECTIVE BARGAINING" NAB Labor Relations Department	Parlor D
	"INFORMATION PLEASE" Panel: John Blair, John Blair & Co. H. Preston Peters, Free & Peters Edward Petry, Edward Petry & Co. Joseph Weed, Weed & Co. NAB Department of Broadcast Advertising	Cleveland Ad Club Dining Room
	"FOREIGN LANGUAGE BROADCASTING" Alan Cranston and Lee Falk, Office of Facts and Figures NAB War-time Committee	Parlor E
	"THE SELECTIVE SERVICE" Major Ernest M. Culligan, Public Relations Officer, Selective Service System NAB Legal Department	
	"MUSIC" ROUND TABLE Merritt Tompkins, BMI	Tavern Room
10:30 a.m.	BUSINESS SESSION Neville Miller, Presiding	Pine-Euclid Room
	"THE WAR—A CHALLENGE TO BROADCAST ADVERTISING" Eugene Carr, Chairman, NAB Sales Managers' Executive Committee	
	"THE BRIDGE TO A NEW DEMOCRACY" Arthur Horrocks, Counsel, Public Relations Department, Goodyear Tire & Rubber Company, Akron, Ohio The Advertising Council Miller McClintock	
	OPEN FORUM	
12:15	LUNCHEON Paul V. McNutt, Federal Security Administrator	Grand Ball Room
2:30 p.m.	NAB BUSINESS SESSION (Members only) Taxation—Ellsworth C. Alvord, NAB Tax Counselor Proposed Amendments to the NAB By-Laws Election of Directors-at-Large Selection of 1943 Convention Site Report of Resolutions Committee	Euclid-Pine Room
	ADJOURNMENT	
4:30 p.m.	Final Meeting Network Affiliates, Inc.	Salle Moderne
7:30 p.m.	20th ANNUAL BANQUET	Rainbow Room Hotel Carter

THURSDAY, MAY 14

10:00 a.m.	Meeting New NAB Board of Directors	Parlor C
10:00 a.m.	NAB ANNUAL GOLF TOURNAMENT	Mayfield Country Club

(The "BROADCASTING MAGAZINE TROPHY")

NAB LISTENER ACTIVITIES

Mrs. Dorothy Lewis, *Coordinator*

Hotel Statler

Tuesday, May 12

Radio Council of Greater Cleveland. "The Listeners' Stake in American Radio," Mrs. Walter V. Magee. "Radio's Significant Place in Inter-American Affairs," Guy Hickock. "Radio Does a Public Service," Mr. Jennings Pierce. Question Period. Fashion Tea.

Wednesday, May 13

Breakfast Roundtable: "The Part that Women's Radio Programs Can Play in Wartime America," Miss Jane Weaver, Chairman. Group Sessions. "Radio at Home," Mrs. Dorothy Lewis. "Women in Industry," Mrs. Harold V. Milligan. "The Broadcaster's Code," Mr. Earl J. Glade. "The Role of the Listener," Mrs. Arch Trawick. "Radio Education," Dr. I. Keith Tyler. "Tuning in on the Home Front," Miss Mabel G. Flanley.

Luncheon

Group Sessions: "Radio Abroad," Mrs. Dorothy L. Lewis. "Radio in Canada," Miss Beatrice Belcourt. "British Women in Wartime," Dr. Winifred C. Cullis. "Radio Serves Our Army," Mr. Edward M. Kirby. "Industry's Role in a World Offensive," Charles R. Hook.

PROMOTIONAL DISPLAY JUDGES

Miller McClintock of the Advertising Council; Paul West, President of the Advertising Federation of America; Fred Gamble, Managing Director, American Association of Advertising Agencies; and Douglas Meservey, Assistant Director of Operations of the Office of Facts and Figures, have accepted invitations to serve as a board of judges for the promotional displays.

M. F. (Chick) Allison, WLW, Chairman of the Committee, reports a most lively interest and response on the part of stations and a large display is anticipated.

TIME BUYERS WELCOME

Gene Carr, chairman of the NAB Sales Managers Committee calls upon all sales managers to be sure to convey word to agency time buyers, as well as sponsors, that the convention is open to them and their attendance would be welcome.

The advertising sessions contain topics of unusual interest and speakers fully capable of presenting the topics in a very able manner. Agency people, as well as sponsors, can derive distinct benefit from attending.

GOLF TOURNAMENT

The annual Golf Tournament with the "Broadcasting Magazine" trophy as the prize, has been scheduled for 10:00 a. m. on Thursday, May 14, at the Mayfield Country Club. This is one of Cleveland's finest courses and promises to test the mettle of the best of golfers. The usual handicap method will be followed. Those who plan to play golf should bring along their clubs because there will be plenty of opportunity.

CLOTHES

Mid-May in Cleveland is quite pleasant climatically. The days are mildly warm, the nights are cool. Just a warning. Bring along a topcoat for evening wear.

BIG LEAGUE BASEBALL

The Cleveland Indians play the Detroit Tigers on Sunday, May 10 (double header) and Monday, May 11. The New York Yankees move into League Park on Tuesday and Wednesday and the Washington Senators come on Thursday and Friday. All games, except the Sunday double header which is scheduled for 1:00 p. m. at the big Civic Stadium, which seats 90,000, will be played at 4:00 p. m. at League Park. Box seats at $1.60, and reserved seats at $1.35, will be available at the NAB Registration Desk for those desiring to take in any of these games.

NETWORK CASES ARGUED IN SUPREME COURT

Late Thursday afternoon argument of the CBS and NBC suits against the government opened before the Supreme Court, with Mr. John T. Cahill presenting NBC's case.

MINIMUM OPERATING SCHEDULE REQUIREMENTS RELAXED

In keeping with its policy to relax broadcast operating rules where demands of the war require, the FCC has adopted a General Order which waives Section 3.71 on minimum operating schedules. In effect the waiver permits the licensee to maintain a minimum schedule of hours best suited to the need of the area concerned. Specifically the rules have been reduced to two-thirds the authorized hours between 6 a. m. and midnight.

It is believed that such relaxation at this time will be of material assistance to licensees, to operating personnel, and will extend the life of equipment and reduce maintenance requirements, but at the same time will not reduce the operating schedule below a reasonable minimum.

This step adds to the Commission's action in Orders 91 and 91-A, which relaxes requirements on operator licenses, and which together tends to relieve the shortage of trained personnel in the broadcast industry.

NO CEILING ON ADVERTISING

Advertising services, including radio broadcasting, do not come under the price ceilings imposed by OPA's General Maximum Price Regulation released Tuesday.

GAS RATIONING

Station employees who use their own cars on remotes, as well as stations operating trucks, can get extra gas in those states where gas rationing goes into effect May 15. Stations themselves and employees using their own cars who are "mechanical or electrical workers or repairmen" (technicians) should apply to their local gasoline rationing boards for an "X" Card. These will be issued by local rationing boards at the time of registration, and are designed to take care of persons with legitimate reasons for not knowing how much gas they will need from week to week.

Announcers, and others than the above using their own cars in their work, are not eligible for "X" Cards, but upon application will be issued "B" Cards. There are three types of "B" Cards,— B-1, B-2 and B-3, each entitling the holder to successively greater quantities of gas; the exact amounts are not yet known at the Fuel Rationing office of the OPA, but they will be greater than the ordinary ration, and will entitle the holder to more or less gas depending upon the nature and extent of his work.

Priorities

The WPB last Friday issued Preference Rating Order P-129, giving "radio communication," which includes radio broadcasting, an A-3 preference rating for maintenance, repairs and operating supplies. The order will continue in effect until September 30, unless sooner revoked.

Superceding, at least so far as broadcasting is concerned, Preference Rating Order P-100, which carried an A-10 rating, the new order imposes definite limitations on the use of rated materials and the acceptance of deliveries of all materials.

Paragraph (g) of the order reads as follows:

"(g) *Restrictions on Deliveries, Inventory and Use.*

(1) Except as provided in paragraph (g) (3) below, no Operator [broadcast station], who has applied the rating assigned hereby, shall, at any time, accept deliveries of Material (whether or not rated pursuant to this Order) to be used for Maintenance, Repair, Operating Supplies or for other purposes:

(i) Until the dollar value of the Operator's inventory of Material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of Material used for all purposes during the calendar year 1940.

(ii) Where the receipt thereof shall increase the dollar value of Operator's inventory of Material to an amount in excess of Normal requirements which in no event shall exceed 27½% of the dollar value of Material used for all purposes during the calendar year 1940.

(2) Except as provided in paragraph (g) (3) below no Operator who has supplied the rating assigned hereby shall, during any calendar quarterly period, use Material for Maintenance, Repair, and Operating Supplies, the aggregate dollar volume of which shall exceed 110% of the aggregate dollar volume of such Material used during the corresponding quarter of 1940, or at the Operator's option 27% of the aggregate dollar volume of such Material used during the calendar year 1940.

(3) (i) Any Operator whose average value of inventory of Material for the five calendar years prior to January 1, 1942, did not exceed $10,000 shall be exempt from the provisions of paragraph (1) above, subject to the provisions of Priorities Regulation No. 1, as amended.

(ii) From time to time the Director of Industry Operations may determine that certain Operators are exempt in whole or in part from the restrictions contained in paragraphs (1) and (2) above."

In order to apply the preference rating to delivery of material, the station must endorse the following statement on the original and all copies of the purchase order or contract, signed by a responsible official duly designated for such purpose:

"Material for Maintenance, Repair, or Operating Supplies— Rating A-3 under Preference Rating Order P-129 with the terms of which I am familiar.
(Name of Operator or Supplier).
(Signature of Designated Official)".

New Construction

Following the recommendation of the DCB of April 16, the FCC on Monday adopted a policy to grant no application for an authorization involving the use of any materials to construct or change the transmitting facilities of any standard, television, facsimile, relay or high frequency (FM) broadcast station. The Commission deferred action on the DCB's recommendation as to experimental high frequency and non-commercial educational broadcast stations.

Applications filed to meet the requirements of authorizations heretofore made in the form of conditional grants, and applications requesting an extension of time within which to complete construction under authorizations heretofore made, will not be granted unless it appears that the applicant (1) has made substantial expenditures in connection therewith or actually commenced construction prior to April 27, and (2) has on hand or available substantially all materials and equipment necesasry to complete construction.

Construction for the maintenance or existing services, and construction required by the Commission or recommended by the head of a war agency of the Federal Government are not barred by the policy laid down.

The procedure to be followed on applications now pending is to file a formal petition on or before June 1, 1942, embodying a statement of such facts and circumstances as the applicant believes would warrant the granting of the application in the public interest. The filing of such a petition will be construed as an indication of the desire of the applicant to prosecute his application, and if the application is denied it will be designated for hearing. Failure to file the petition will be deemed an abandonment of the application, which will be retired to the Commission's closed files and dismissed without prejudice.

WINE ADVERTISING

H. R. 5802, sponsored by Representative Frank H. Buck (D-Calif.), was signed April 21 by the President and became effective immediately. The new law prohibits statement of alcoholic content in all wine advertising.

Informal advices from the Treasury are that statements of alcoholic content of wine in radio advertising should be stopped immediately, and such statements in other advertising media should be eliminated as quickly as possible. The new law does not alter regulations requiring statements of alcoholic content on labels.

Treasury decision in circulars covering the new regulations are expected within a few days. Copies will be available at Wine Institute, 85 Second Street, San Francisco. The wine industry greatly appreciates the fine effort of Representative Buck in sponsoring this law.

Sales

SALES MANAGERS URGED TO ATTEND CONVENTION

As the jive artists put it, there will be some "solid sending" at Cleveland May 10-14 during the programs of the Sales Managers Division.

All speakers have been told to pull no punches, and that there will be no holds barred. They have been advised that sales managers are not thin skinned, and that they want the real low-down, good or bad.

At the St. Louis convention last year the Sales Managers were characterized by many as the hardest-working group at the meeting. They will have to sustain that reputation this year, because a full program has been arranged, with no "soft spots" scheduled.

Station owners and managers are invited to attend all meetings, but the *attendance of sales managers and salesmen is particularly urged if maximum benefit is to be obtained by their stations.*

Members of the Sales Managers Committee and Executive Committee will meet Sunday, May 10, at 12:00 Noon to consider serious industry sales problems, resolutions, and recommendations to the NAB Board.

Monday's highlight will be a department store clinic at 2:30 P. M., when Richard G. Meybohm, sales promotion manager of the National Retail Dry Goods Association, assisted by a committee of department store experts, will tell the industry why it has not been more successful in developing the rich department store advertising field. This clinic will be based on a national survey just conducted by the NRDGA, the most extensive study of its kind ever made. Questionnaires were sent to 1500 NRDGA members, and each return required 242 separate tabulations, exclusive of any cross-indexing. Thus the minutiae of radio-department store relations have been microscopically studied as never before, and it is the intent of the department store experts not to praise radio for its achievements, but to point out its selling faults in a clinic that is meant to be 100% constructive.

Tuesday morning at 8:30 the sales managers will get more of the same, when the agency time buyers, under the leadership of the Radio Executives Club of New York, will present a show entitled "What Burns Us Up." To build the show, all agencies were invited to submit their "pet radio peeve." The best of these were selected for dramatization by an all-agency cast. John Hymes, chief time buyer for Lord & Thomas and president of the REC, while asking that sales managers be required to check all deadly weapons at the door, insisted that "it's all in fun and we're really trying to be helpful."

Tuesday afternoon's open session at 2:30 will feature talks on "Selling with Surveys" by Dr. Harry Dean Wolfe, Director of the Bureau of Business Research of Kent State University, and on "Shoot the Works," a grass-roots talk on salesmanship by Gene Flack of the Loose-Wiles Biscuit Co. An open forum will follow.

Wednesday morning's 8:30 breakfast session, conducted by national sales representatives, will be "Information Please on Spot Radio," with Chairman Gene Carr keeping the peace between sales managers and John Blair, Free & Peters, Edward Petry and Weed & Co., participants.

The general convention assembly Wednesday morning at 10:30 will be all business with Neville Miller behind the gavel, Gene Carr reporting on NAB Sales Managers activities, Dr. Miller McClintock reporting on The Advertising Council, and Arthur Horrocks, Counsel, Public Relations Department, Goodyear Tire & Rubber Co., preaching some old-time business religion in "The Bridge to a New Democracy."

The golf tournament for the *Broadcasting* trophy has been scheduled for Thursday, and if any sales managers are left on their feet all other aspirants might as well go home. Considerable "smart money," it is said, is being placed on dark horses George Frey and Jack Field.

LINNEA NELSON WRITES FOR NAB

As part of the NAB campaign to develop more department store business, Linnea Nelson, chief time buyer for the J. Walter Thompson Agency, New York, has written an article on "We Think about Radio," a basic discussion directed to advertising managers of department stores on how to buy radio.

The article will be published in *Broadcasting* magazine, and has also been submitted to several of the leading department store trade magazines. Reprints have been ordered by the NAB for further distribution by member stations, and may be had on request to the Department of Broadcast Advertising.

MENDENHALL AGAIN?

NAB members have commented on the similarity between letters now being received from The Peabody Co., P. O. Box 38, Mendenhall, Miss., requesting availabilities for a solid perfume, and correspondence received last year from the Mendenhall Manufacturing Co., Mendenhall, Miss., seeking per-inquiry deals on hosiery.

Numerous complaints were received last year from stations handling the Mendenhall account, many of them charging nonpayment of bills.

The NAB has written the Peabody Co., asking what, if any, relationship exists between it and the Mendenhall Manufacturing Co. No reply had been received by press time.

War Zone Business Holding

W. H. "Bud" Stuht, commercial manager of KOMO-KJR, Seattle, an NAB headquarters visitor this week, reports that radio advertising in that area continues to hold up well, with consistent gains in both national spot and local billings. The latter are especially strong, he said. Direct reports from several sales managers in the Pacific coast "war zone" will be heard during the open sessions of the sales managers' programs at the Cleveland convention.

Real Estate Sponsors Compiled

Another summary table has been prepared from reports sent to the NAB for "The Broadcast Advertising Record," this one on real estate operators who use radio advertising. Free copies may be had by NAB members upon request to the Department of Broadcast Advertising.

Per-Inquiry and Free Time

United Advertising Companies, Chicago, again offer a variety of P-I deals.

Rogers & Smith Agency, Dallas, Tex., again are seeking contingent deals for **Naughton Farms**.

National Association of Dyers and Cleaners, Silver Springs, Md., are submitting scripts to women's programs through **Mort Friedlander & Associates**, New York, promoting the interests of dry cleaners.

Labor

Wage Freezing

Although wages were specifically exempt from Leon Henderson's price-fixing order, it is generally believed from President Roosevelt's two speeches this week that there are to be no more wage or salary increases.

In his broadcast Tuesday night, the President said:

"Do you work for wages? You will have to forego higher wages for your particular job for the duration of the war."

In his message to Congress on Monday, Mr. Roosevelt said:

"In respect to the third item, seeking to stabilize remuneration for work, legislation is not required under present circumstances. I believe that stabilizing the cost of living will mean that wages in general can and should be kept at existing scales.

"Organized labor has voluntarily given up its right to strike during the war. Therefore all stabilization or adjustment of wages will be settled by the War Labor Board machinery which has been generally accepted by industry and labor for the settlement of all disputes.

"All strikes are at a minimum. Existing contracts between employers and employes must, in all fairness, be carried out to the expiration date of those contracts. The existing machinery for labor disputes will, of course, continue to give due consideration to inequalities and the elimination of sub-standards of living. I repeat that all of these processes now in existence will work equitably for the overwhelming proportion of all our workers if we can keep the cost of living down and stabilize their remuneration.

"Most workers in munition industries are working far more than forty hours a week and should continue to be paid at time and a half for overtime. Otherwise, their weekly pay envelopes would be reduced.

"All these policies will guide all government agencies."

AFL Urges Payroll Deduction for Bonds

AFL President William Green today asked all American Federation of Labor unions and their members to comply promptly with the Government's program for voluntary 10 per cent payroll deductions for the purchase of War Bonds.

In letters to all affiliated organizations, Mr. Green warned that some Government representatives and members of Congress favor legislation for compulsory payroll deductions. He added:

"Labor favors voluntary action and is against compulsory action. I feel sure that if labor will respond and will voluntarily agree to a payroll deduction of 10 per cent of earnings to be invested in War Bonds that compulsory savings legislation will be defeated.

"I appeal to the workers to respond favorably to the recommendations I have herein made."

COST OF LIVING

The Labor Department reports that the cost of living increased 1.2 per cent between mid-February and mid-March, bringing the mid-March average to 114.3 per cent of the 1935-39 average. Details for various larger cities are available at the NAB.

EXACT DATE REQUIRED FOR PD-1A FORMS

Stations that use PD-1A forms to secure material must fill in a definite delivery date. J. S. Knowlson, director of industry operations, warned, on April 23, that these forms will not be considered unless an exact delivery date is stated. "Immediately" or "at once" is entirely unsatisfactory.

MORE MARCH REPORTS RECEIVED

In addition to the WAR reports from stations reported by mail in the envelope with the April form, reports have been received from:

WHEC, Rochester; KOMA, Oklahoma City; KMO, Tacoma; KFBI, Wichita; KGO, San Francisco; KUIN, Grants Pass; WMFR, High Point; WJHO, Opelika; WJAS, Pittsburgh; WTAR, Norfolk; WJZ, New York; KMA, Shenandoah; WHFC, Cicero; WFDF, Flint.

WWL MEN TEACH RADIO AT LOYOLA

The NAB-ESMDT radio technician training course at Loyola University, New Orleans, is being taught by a faculty of five, three members of which are on the staff of WWL.

Chief Engineer J. D. Bloom teaches radio and communication; and Edward Dutreil, transmitter supervisor, and Francis Jacob, studio supervisor, maintenance and repair. John Daspit and Lawrence Strohmeyer, of the Loyola physics department, assist. The course is scheduled to finish August 7.

WOWO EXTENDS PUBLIC SERVICE

WOWO, Fort Wayne, has installed permanent lines to Baer Field, U. S. Army Air Base, southwest of the city, in order to extend the scope of its public service to soldiers and civilians. J. B. Conley, general manager, plans an extended series of morale-building programs which will be staged in the air base recreation hall.

TEACHES TEACHERS TO TEACH

Bob Smith, chief engineer, WOPI, Bristol, Tenn., Va., has four college professors and ten school teachers in the two radio technician training courses he is teaching under the auspices of Virginia Polytechnic Institute. These men intend to keep out in future training courses after they have passed the examination for a first class ticket.

SUGGESTS "RADIO SILENCE" FOR "BLACKOUT"

Since nobody knows for sure just where the target areas may be all stations should be interested in the suggestion of Col. Ernest Moon, executive officer, Fourth Interceptor Command.

The Colonel suggests that in order to avoid confusion in the minds of the listening public, the term, "RADIO BLACKOUT", should be eliminated and in its place the term, "RADIO SILENCE", substituted.

In placing the suggestion before broadcasters of the Southern California Broadcasters' Association, Richard F. Connor, co-ordinator, pointed out that on occasion there is a silencing of radio stations by order of the Fourth Interceptor Command when no general Blackout order is issued. Thus, if a silencing of radio stations is referred to as a "RADIO BLACKOUT", the public might be led to believe there was both a "BLACKOUT" and a "RADIO SILENCE", when such might not be the case.

Therefore, says the Coordinator, the suggestion is made that, in the future, when a "RADIO SILENCE" is ordered, it be referred to as a "RADIO SILENCE" in all programs and newscasts.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 4. They are subject to change.

Monday, May 4

Consolidated Hearings

NEW—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Tex.—C. P., **1230 kc.**; 250 watts; unlimited time.

NEW—Roy Branham Albaugh, Waco, Tex.—C. P., **1230 kc.**; 250 watts; unlimited time.

Further Consolidated Hearings

WICA—WICA, Inc., Ashtabula, Ohio.—C. P., **970 kc.**; 1 KW night; 5 KW day; unlimited time; DA-night.

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—C. P., **970 kc.**; 5 KW; unlimited time; DA-day and night.

Tuesday, May 5

Further Hearing

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—C. P., **1340 kc.**; 100 watts; unlimited time.

Wednesday, May 6

Further Consolidated Hearings

NEW—Scripps-Howard Radio, Inc., Houston, Tex.—C. P., **1230 kc.**; 250 watts; unlimited time.

NEW—Texas Star Broadcasting Co., Houston, Tex.—C. P., **1230 kc.**; 250 watts; unlimited time.

NEW—Greater Houston Broadcasting Co., Inc., Houston, Tex.—C. P., **1230 kc.**; 250 watts; unlimited time.

Thursday, May 7

Further Hearing

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P., **1410 kc.**; 1 KW; unlimited time; DA-night.

Friday, May 8

Further Hearing

NEW—KNOE, Inc., Monroe, La.—C. P., **1420 kc.**; 250 watts; unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WRGA—Rome Broadcasting Corp., Rome, Ga.—Granted construction permit (B3-P-3478) to change antenna system and move transmitter a distance of approximately 1500 feet.

WCHV—Community Broadcasting Corp. (Assignor), Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham & Barham (Assignee), Charlottesville, Va.—Granted consent to assignment of permit and license (B2-APL-13) of Station WCHV from Community Broadcasting Corp. to Charles Barham, Jr., and Emmalou W. Barham, a partnership doing business as Barham & Barham.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for extension to June 30, 1942, inclusive, of effective date of Commission's Order on application for renewal of license (Docket 5430).

WRCA—National Broadcasting Co., Inc., New York City.—Granted modification (B1-MLIB-50) of license to add frequency **15190 kc.**, subject to the condition that no interference is caused to other international broadcast stations having priority of registration on the same or adjacent frequencies.

WNBI—National Broadcasting Co., Inc., New York City.—Granted modification (B1-MLIB-51) of license to add frequency **15190 kc.**, subject to the condition that no interference is caused to other international broadcast stations having priority of registration on the same or adjacent frequencies.

DECISIONS

The Commission has granted Station WGBR, Goldsboro, N. C., permission to reconstruct its station due to fire. In connection with this grant the Commission says:

This is an application of Eastern Carolina Broadcasting Company, Inc., for authority to reconstruct Station WGBR, Goldsboro, North Carolina. The entire station, with the exception of the antenna and ground system, was completely destroyed by fire on March 24, 1942.

The City of Goldsboro, with a population of 17,274 (1940 Census), receives no primary broadcast service except that heretofore provided by Station WGBR. The restoration of this service will require the use of materials for which priority ratings are required and have been obtained. All of the necessary equipment is available to the applicant and will be delivered within the next thirty days with the exception of frequency and modulation monitors, which can be delivered in from four to six weeks.

Under these circumstances and in view of the express provision for repair and maintenance in our Memorandum Opinion of February 23, 1942, we find that public interest, convenience and necessity will be served by the granting of the instant application.

It Therefore Is Ordered, this 24th day of April, 1942, that the application of Eastern Carolina Broadcasting Company, Inc., for construction permit Be, and It Is Hereby, Granted.

A grant permitting Station WSGN, Birmingham, Ala., to increase its power from 1,000 to 5,000 watts has been made with Commissioners Case and Payne dissenting and Commissioner Craven not participating. The Commission says:

This is an application of the Birmingham News Company, licensee of Radio Station WSGN, Birmingham, Alabama, for a permit to increase daytime power from 1 KW to 5 KW. The station is presently authorized to operate on the frequency of **610 kc.**, with 1 KW, unlimited time.

The application was filed in January of this year. The proposed operation would increase the daytime service area of the station from 5,470 square miles to 10,700 square miles, extending the daytime service of the station to an additional population of approximately 254,000, a gain of 40% or more in the potential daytime audience. No substantial part of this proposed new service area now has primary service. This application conforms to the Commission's Memorandum Opinion of February 23, 1942, permitting the construction of facilities to serve an area without primary service.

It is further noted that the equipment proposed to be used for the change in operating assignment is already available to applicant; it was procured from another station where a change in equipment has heretofore been authorized.

Upon consideration of the entire matter the Commission finds that the granting of the application will serve the public interest, convenience and necessity.

Broadcast Station KMA, Shenandoah, Iowa, has been granted authority to install a directional antenna, Commissioners Payne and Case dissenting and Commissioner Craven not participating. The Commission has the following to say regarding this grant:

This is an application of May Broadcasting Company, licensee of Station KMA, Shenandoah, Iowa, for authority to install a directional antenna. The operating assignment of KMA under the present license is **960 kc.,** 1 KW power nighttime, 5 KW power daytime.

The proposed directional antenna is designed to improve and extend the nighttime service of the station through use of its maximum power of 5 KW during nighttime as well as day, and at the same time minimize interference to the services of other stations assigned to the same and adjacent frequencies in this country, as well as in Canada and Mexico. The proposed operation would increase the nighttime service area of the station from 6,740 square miles to 10,700 square miles, extending the service of the station to an additional population of approximately 280,000, a gain of approximately 80% in the potential nighttime audience.

This application was filed in 1940, but action thereon was deferred until November, 1941, pending consideration of other related matters. The application was considered on November 4, 1941, at which time the Commission in effect gave the applicant's proposal conditional approval, directing a conference between engineers for the Commission and the applicant, respectively, for the purpose of arriving at certain modifications in the design of the proposed directional antenna and accordingly the submission of an amended application setting forth the additional engineering data for final approval. Pursuant to the conference, the applicant prepared amendments to its application and submitted the same together with the required engineering data. The Commission finds the amended proposal to be in accord with the conditions approved in the meeting of November 4. It is further noted that the applicant shows that it procured and paid for substantially all of the equipment necessary to make the proposed changes soon after the conference, at which it learned that the Commission had given the matter conditional approval. A petition attached to the application shows that materials were delivered prior to February 11, 1942.

In view of all of the circumstances in this case, the Commission is of the opinion that the amended application should be considered as meeting the requirements of the policy announced in the Memorandum Opinion of February 23, 1942, relating to use of critical materials. In that Opinion, the Commission indicated that where an application had been granted subject to approval of a further application to be filed by the applicant, such further application might be granted if the applicant had, pursuant to the prior grant actually commenced construction or made substantial expenditures for materials or equipment prior to the date of the Opinion. In consideration of all the matters concerned in the case, the Commission finds that the granting of the application will serve public interest and necessity.

MISCELLANEOUS

Bob Jones College, Inc., Cleveland, Tenn.—Granted motion for leave to amend application for new station so as to specify a new directional antenna design without removing application from hearing docket.

KPAC—Port Arthur College, Port Arthur, Tex.—Granted motion for permission to amend application for modification of license so as to specify a new directional antenna array.

KMP—Eddie Erlbacher, Cape Girardeau, Mo.—Granted petition to amend application for new coastal harbor station so as to reduce power to 100 watts day and night; dismissed without prejudice petition to reconsider and grant without hearing, and the Commission on its own motion continued hearing now set for April 30 to May 29.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted motion for continuance of hearing now set for April 27 and continued same to June 4.

Chattanooga Broadcasting Corp., Chattanooga, Tenn.—Granted motion for dismissal without prejudice application (B3-P-2666) for new station.

Edwin A. Kraft, Kodiak, Alaska.—Granted petition to dismiss without prejudice application for new station (B-P-3279).

Jefferson Broadcasting Corp., Birmingham, Ala.—Granted petition to cancel hearing and dismiss without prejudice application for new station (B3-P-3162).

Utica Broadcasting Co., Inc., Utica, N. Y.—Granted motion to dismiss without prejudice application for new station (B1-P-3206).

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted petition to dismiss without prejudice application for construction permit (B4-P-3077).

WDNC—Durham Radio Corporation, Durham, N. C.—Granted petition to cancel hearing now set for April 29, and to dismiss without prejudice application for construction permit (B3-P-3170).

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted motion to dismiss without prejudice application for construction permit (B2-P-2574).

Cleveland Broadcasting, Inc., Cleveland, Ohio.—Granted leave to dismiss without prejudice application for new station (B2-P-3359).

KDKA—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—Granted license to cover construction permit which authorized changes in transmitting equipment (B2-L-1649).

KMBC—Midland Broadcasting Co., Kansas City, Kans.—Granted authority to determine operating power by direct measurement (for auxiliary transmitter) (B4-Z-1380).

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted authority to determine operating power by direct measurement of antenna input, in connection with special service authorization (B5-Z-1382).

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted authority to determine operating power by direct measurement of antenna input (B3-Z-1358).

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted modification of construction permit, as modified which authorized new transmitter, installation of directional antenna, increase in power, and move of transmitter, for extension of completion date from April 1 to June 1, 1942 (B5-MP-1533).

W39B—The Yankee Network, Inc., Boston, Mass.—Granted modification of construction permit, as modified which authorized new high frequency broadcast station, for extension of commencement and completion dates from October 27, 1941 and April 25, 1942, to April 25, 1942 and 120 days thereafter, respectively (B1-MPH-86).

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Granted modification of construction permit as modified which authorized new television station, for extension of completion date only, from April 15, 1942, to October 15, 1942 (B5-MPVB-73).

WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Granted modification of construction permit (as modified which authorized installation of new transmitter and directional antenna for night use, increase in power, and move) for extension of completion date from April 1 to June 1, 1942 (B3-MP-1538).

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Granted license to cover construction permit to move old Composite transmitter to site of new main transmitter, to be used as auxiliary transmitter, for emergency use only (B1-L-1643).

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted license to cover construction permit to move auxiliary transmitter to site of new main transmitter (B1-L-1635); granted authority to determine operating power by direct method (B1-Z-1369).

KLCN—Fred O. Grimwood, Blytheville, Ark.—Granted license to cover construction permit as modified, to move transmitter, install new transmitter, changes in antenna and increase in power, change in frequency (authority granted upon the express condition that no operation of the station may occur between local sunset and local sunrise) (B3-L-1645); granted authority to determine operating power by direct measurement of antenna input (B3-Z-1377).

WSBT—The South Bend Tribune, South Bend, Ind.—Granted license to cover construction permit for changes in and move formerly licensed RCA transmitter to new site of main transmitter and use as auxiliary transmitter only (B4-L-1637); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1371).

WNBC—State Broadcasting Corp., New Britain, Conn.—Granted license to cover construction permit which granted increase in night power and changes in directional antenna for day and night use (B1-L-1602); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1335).

WBX—Westinghouse Radio Stations, Inc., Boston, Mass.—Granted license to cover construction permit which authorized changes in transmitting equipment (B1-L-1648).

WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—Granted construction permit for move of transmitter approximately 150 feet from temporary building to permanent building same address (B3-P-3432).

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted modification of construction permit which authorized changes in directional antenna system, for extension of completion date from April 12 to May 12, 1942 (B2-MP-1549).

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Granted modification of construction permit (as modified, which authorized increase in power, move of transmitter site, install new transmitter and directional antenna for day and night use), for change in type of transmitter proposed, change in towers of proposed directional antenna from self-supporting to guyed, and extension of completion date to 60 days from May 3, 1942 (B5-MP-1513).

George Johnston, Jr., Birmingham, Ala.—Granted petition to dismiss without prejudice application for construction permit for new station (Docket 6147).

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Continued consolidated hearing now set for April 22 until May 19, 1942, in re applications for construction permit, for modification of construction permit, and for renewal of license (Docket Nos. 5678, 6107, 6105).

APPLICATIONS FILED AT FCC

610 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Modification of construction permit (B-P-3436, which authorized increase in power from 1 to 5 KW) for approval of transmitter.

770 Kilocycles

WJZ—National Broadcasting Co., Inc., New York, N. Y.—Voluntary assignment of construction permit (B1-P-3253) from National Broadcasting Company, Inc., to Blue Network Company, Inc.

WDAE—Tampa Times Co., Tampa, Fla.—Special service authorization to change frequency from **1250** to **770 kc.** and operate with present facilities of 5 KW, unlimited hours, directional antenna. Amended to request directional antenna night.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Extension of special service authorization to operate on **770 kc.**, unlimited time, using transmitter authorized under construction permit B5-P-2783, for period 5-10-42 to 11-10-42, with increase in power from 25KW-50KW-LS to 50KW.

1060 Kilocycles

NEW—John D. Ewing, New Orleans, La.—Construction permit for a new station to be operated on **1060 kc.**, 50 KW, unlimited time, employing directional antenna at night. Amended to make changes in directional antenna system, and use day and night, and to request 10 KW night and 50 KW day power. Also amended to specify transmitter location on Louisiana Highway No. 1, approximately 0.35 miles North of Violet, La.

1080 Kilocycles

KRLD—KRLD Radio Corporation, Dallas, Tex.—Construction permit for changes in directional antenna.

1090 Kilocycles

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Special service authorization for changes in directional antenna.

1230 Kilocycles

KVCV—Golden Empire Broadcasting Co., Redding, Calif.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

NEW—Walter H. Nelson, Cadillac, Mich.—Construction permit for a new station to be operated on **1240 kc.**, 250 watts power, unlimited time.

1250 Kilocycles

WDAE—Tampa Times Company, Tampa, Fla.—Construction permit to change frequency from **1250** to **770 kc.**, and make changes in directional antenna and use at night only.

1300 Kilocycles

NEW—Confederate Broadcasting Co., Marietta, Ga.—Construction permit for a new broadcast station to be operated on **1300 kc.**, 250 watts, daytime.

1400 Kilocycles

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—License to cover construction permit (B5-P-3284) for new transmitter and antenna and move studio and transmitter. Amended: re antenna ammeter and engineers affidavit.

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Authority to determine operating power by direct method. Amended: re antenna ammeter and engineers affidavit.

1450 Kilocycles

NEW—The Fort Hamilton Broadcasting Co., Hamilton, Ohio.—Construction permit for a new station to be operated on **1450 kc.**, 250 watts, unlimited time. Amended: to make changes in transmitting equipment.

KWBW—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Voluntary assignment of license to William Wyse and Stanley Marsh, d/b as The Nation's Center Broadcasting Co.

1490 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Modification of construction permit (B5-P-3150, which authorized increase in power, change in frequency, installation of new equipment and directional antenna for day and night use, and move of transmitter to new site) to request new transmitter, change power from 5 KW to 1 KW and for approval of present site, and for directional antenna night use only.

FM APPLICATION

W65H—WDRC, Inc., Hartford, Conn.—Modification of construction permit (B1-PH-35) as modified for a new high frequency broadcast station, requesting extension of completion date from 6-14-42 to 12-14-42.

MISCELLANEOUS APPLICATIONS

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Modification of construction permit (B5-PIB-34) as modified for a new international broadcast station, requesting the addition of **7230 kc.** operating unlimited time on this frequency and extension of commencement and completion dates from 12-14-41 and 6-14-42 to 30 days after grant and 150 days thereafter, respectively.

W9XMB—The Moody Bible Institute of Chicago, Chicago, Ill.—Modification of construction permit (B4-PST-4) for a new ST station, requesting extension of completion date from 5-16-42 to 11-16-42.

W75C—The Moody Bible Institute of Chicago, Chicago, Ill.—Modification of construction permit (B4-PH-5) as modified, requesting extension of completion date from 5-3-42 to 11-3-42.

KGEI—General Electric Co., near Belmont, Calif.—Modification of license to add the frequencies **7250, 9550** and **15210 kcs.** to presently licensed frequencies; sharing time on **9550 kc.** with WGEA, share on **15210** with WBOS, and operate unlimited time, on **7250 kcs.**

WRUS—World Wide Broadcasting Corp., Boston, Mass.—Modification of construction permit (B1-PIB-33) for a new international broadcast station, requesting extension of completion date from 5-16-42 to 9-16-42.

NEW—WHEC, Inc., Portable-Mobile.—Construction permit for a new relay broadcast station to be operated on **30820, 33740, 35820, 37980 kc.,** 30 watts, Emission A3.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

Evening Dress Guild, Inc.—A combination and conspiracy to suppress and lessen competition in the manufacture and sale of popular priced formal evening dresses is alleged in a complaint against Evening Dress Guild, Inc., and its 16 member manufacturers, all of New York City. Offices of the guild are at 152 West 42nd Street. (4751).

Golden Gate Factory—Misrepresentation in the sale of water softening devices is alleged in a complaint issued against Elmer R. Haslett and Priscilla Haslett, whose residence address is 33-80th St., Jackson Heights, Queens, New York, and whose last known business address was Sausalito, Calif. The respondents trade as Golden Gate Factory, The Factory of the Golden Gate Farm, Alkali-Trap Co., and Alkali-Trap Manufacturing Co. (4752)

New York Merchandise Co., Inc., 32 West 23rd St., New York, wholesaler of domestic and imported merchandise, is charged, in a complaint, with misrepresentation in the sale of sun glasses. (4754)

Rohm & Haas Co., Inc.—A complaint has been issued charging Rohm & Haas Co., Inc., Philadelphia, with misrepresentation in the sale of "Plexiglas," a synthetic plastic material resembling glass. The respondent manufactures "Plexiglas" at its factory in Bristol, Pa., and sells it to manufacturers or fabricators who utilize it in producing various articles which in appearance are imitative of merchandise made of glass. (4750)

F. A. Stuart Co., Marshall, Mich., distributor of "Stuart's Laxative Compound Tablets," and Benson & Dall, Inc., 327 South La Salle St., Chicago, advertising agency, are charged, in a Federal Trade Commission complaint, with false advertisement of the Stuart Company's preparation. (4753)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Freeman's Products, Howard City, Mich., formerly of Grand Rapids, Mich., has been ordered to discontinue misrepresentations in the sale of a medicinal preparation designated "Freeman's Pyletts." (4615)

Dr. A. M. Loughney, 318 Henshaw Building, Oakland, Calif., has been ordered to cease and desist from misrepresentation in the sale of a health regimen consisting of a brochure entitled "Dr. A. M. Loughney's Dependable Guide to Self-Help" and medicinal preparations designated "Anti-Spasthma-Oyl" and "Bowelkleen." (4531)

Nu-Tone Laboratories, Inc., 115 South Market St., Chicago, radio equipment manufacturer, has been ordered to discontinue misleading representations in the sale of products designated "aerial eliminators" and "line noise eliminators." (4665)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Beauty House, 100 Fifth Ave., New York, distributors of "Beauty House" cosmetics, has entered into a stipulation to cease representing as the customary prices of their products prices and values which are fictitious and in excess of the customary prices; to cease quoting a figure purporting to be the regular or actual value of an article but which is in excess of the price for which the same or similar merchandise is sold or may be usually available in the retail market; and to discontinue representing that an advertised offer is unusual or special so long as no price reduction or other trade concession is made therewith. The respondents further agree to cease referring to their blend of face powder as "Hollywood" or otherwise using geographic or cosmetic names signifying an origin, process or formula which the production so denoted does not in fact possess. (3466)

Electro-Technical Products, Inc., 113 East Center St., Nutley, N. J., stipulated to cease certain representations in the sale of fabrics treated with a coating of various mixtures, including formaldehyde or synthetic resin diluted with mineral spirits. The respondent sells these products to purchasers engaged principally in the fabricating from such fabrics of food container covers for bowls, dishes, glass bottles and similar articles. The respondent corporation agrees to cease employing the word "odorless" or any similar term as descriptive of fabrics not actually free from odor. (3469)

Evansville Mattress & Couch Co., Inc., 1500 West Missouri St., Evansville, Ind., mattress and bedding manufacturer, stipulated to cease designating as new, products made in whole or in part of used or second-hand materials, and to discontinue failing clearing and unequivocally to disclose that such products are composed in whole or in part, as the case may be, of used or second-hand materials. The respondent further agrees to discontinue employing any false, fictitious or misleading price representation which purports to be the retail sales price of the products but which actually is in excess of the price for which they are customarily sold in the retail trade. (3467)

Farmers' Mail Order House, 75 Grand St., New York, dealers in wearing apparel, blankets and other merchandise, entered into a stipulation to cease and desist from certain representations in the sale of their products. (02972)

Marvel Products Co., 1573 Milwaukee Ave., Chicago, has entered into a stipulation to cease certain representations in the sale of a line of bowl covers and food bags, sold under the brand name "Red Seal." The respondent Nicholas agrees to cease using the word "odorless" or other term of similar implication as descriptive of bowl covers, food bags or other articles which are not actually devoid of scent or odor. (3468)

Schultz, Baujan & Co., Inc., Beardstown, Ill., selling poultry and livestock feeds, and Mace Advertising Agency, Inc., Peoria, Ill., which disseminated advertisements on behalf of the products of Schultz, Baujan & Co., Inc., stipulated to cease representing that "Critic Egg Mash" is a superior feed or contains an ingredient that gives it a plus value; that "Critic Growing Mash" develops chicks into profitable layers; that "Honest Starting and Growing Mash" develops robust, producing pullets, or contains adequate amounts of vitamins, minerals or proteins for growth, and that "Honest Broiler Ration" of itself produces fast growth or fat accumulation in the shortest time. (02971)

Reports
NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 19, May 8, 1942

Sanders Hearings

Chairman Lea (D.-Calif.), of the House Interstate Commerce Committee, was reported to have told newspapermen after Wednesday's hearing that the day's testimony made him think new legislation was advisable.

Hearings on the Sanders Bill (H. R. 5497) before the House Committee on Interstate and Foreign Commerce were resumed Tuesday with the reappearance of Neville Miller, who, in response to Mr. Sanders' question, testified that personally he was in favor of Sec. 7 of the bill.

Frank E. Mullen, Vice President and General Manager of NBC, illustrating his testimony with slides, gave the Committee a historical review of the accomplishments and structure of radio broadcasting and asked Congress for a clear definition of radio's "rights and duties" as essential to the continued growth and stability of the industry. He endorsed the recommendations of the Federal Communications Bar Association and the NAB's proposals.

On Wednesday, John T. Cahill, NBC Counsel, testified that:

"The principal need in any revision of the 1934 Act is a clear definition of the standard of 'public interest, convenience or necessity.' We advocate a reaffirmation of the clear purpose of the 1934 Act of a denial of control over the business aspects of network broadcasting.

"To the extent necessary, business aspects should continue within the province of the Department of Justice and the Federal Trade Commission. We endorse in principle the changes recommended by the National Association of Broadcasters bearing upon this problem.

"We believe that the principles underlying other amendments recommended by that Association, as well as the procedural changes proposed by the Federal Communications Bar Association, will benefit radio broadcasting and serve the public interest."

He was followed by William S. Paley, CBS President, who also endorsed the principles of the recommendations of the Federal Communications Bar Association and the NAB. Mr. Paley stated that he felt the time has come when Congress as the representatives of the people must express the will of the people as to the kind of radio broadcasting there is to be in this country. Declaring that the core of the problem in connection with the revision of the Communications Act lies in the extent to which the radio licensing authority should have the power to regulate broadcasting beyond the necessary physical requirements, he said:

"It is my sober judgment that regulation by the FCC should stop at physical requirements. There are laws on the books covering the conduct of broadcasters as well as of other business men, and there are governmental departments charged with bringing to the courts for punishment or correction violations of those laws."

Amplifying his reasons for believing the interests of the public would be adequately protected under such regulation, Mr. Paley stated:

"You have, as I have pointed out, public opinion, the measured judgment of the audience, spoken and written criticism, and nearly everywhere in the country the competitive factor to correct evil and to bring about good. Right here I should point out that the competitive factor is becoming a more and more potent one. In the past two years there have been created by the Commission 109 new radio stations. I believe it is reasonable to expect that many more can be created and that with technical improvements present and prospective, the Commission, if it will address itself to the problem, can see that competitive facilities are available in almost every listening area in the country in which there are people willing to operate them.

"There is one other potent weapon to keep any number of broadcasters from going too far wrong. I well know that if enough broadcasters were to defy public opinion, overlook their opportunities to serve the nation in war and in peace, grow greedy or grow callous, the Congress at some time might well feel that the evil was so great that it must step in even at the cost I have tried to picture to you. Even though an amendment to the Constitution were involved, we might bring upon ourselves such a gross and dismal change if we were stupid enough to do it. I believe our record so far justifies a conclusion that we have not done it yet, that we are not likely to do it, and that the history of legislating only against known and otherwise incurable evils may well be followed when you come to deal with a revision or a new enactment of the radio law."

Elmer Davis, CBS news commentator, gave a detailed explanation of news broadcasting over the network and pleaded for continuance of the present system of radio under competitive private operation as the system best calculated to give the public the news as it actually is.

Thursday, the hearings opened with testimony of Dr. Frank N. Stanton, CBS Director of Research, who outlined Columbia's program policies, and submitted charts and other exhibits in support of the growth and public endorsement of network broadcasting under private operation.

Judge John J. Burns, CBS Counsel, explained the impact of the network regulations on network-affiliate contractual relationships.

Stating that the FCC was a licensing agency and not a regulatory agency, he declared that the network regulations were "revolutionary" and beyond the Commission's legal authority.

Network Argument

Argument before the United States Supreme Court of the network cases against the government opened April 30, with the appearance of John T. Cahill on behalf of NBC. Mr. Cahill stated that the sole question before the court is whether the proper procedure for review of the Commission's order promulgating the Chain Broadcasting Regulations is that provided in Section 402(a) or that provided in Section 402(b) of the Communications Act. Declaring that the order "seems to come squarely" within the provisions of 402(a) as an order promulgating regulations, he pointed out that the order neither granted nor denied a license of any kind nor has any recognizable relationship to any of the orders reviewable under Section 402(b).

Arguing the network's contention that the order is more than a

(Continued on page 254)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

NETWORK ARGUMENT

(Continued from page 253)

mere declaration of Commission policy, Mr. Cahill pointed to the results of its promulgation upon NBC affiliates. The affiliated stations, he told the court, had either cancelled their contracts with NBC, threatened to cancel them, or earnestly requested modification of the contracts as of the effective date of the order, without regard to the expiration dates of their licenses. This breaking down of the network structure was continuing, he claimed, despite the stay order temporarily restraining enforcement of the regulations until the decision of the case at bar.

An exercise of the Commission's rule making power like that of the Interstate Commerce Commission has always been reviewable, Mr. Cahill stated, under procedure such as provided in Section 402(a) which had been modelled on the provision for review of orders of the Interstate Commerce Commission. The government's contention that such review of the order in question should be denied in the case at bar, he asserted, was based upon "pure verbalism"—that is, upon the fact that the regulations contain the words "no license shall be granted." The mere fact that the regulations are negative in form and are directed in terms to the Commission, he contended, does not affect their reviewability under Section 402(a). In form, purpose and effect, he stated, the regulation is an "order" within the meaning of Section 402(a).

In conclusion, Mr. Cahill stated that to force the networks to wait until some radio station had been denied a license by the Commission before they could question the validity of the order would result in great hardship to the stations and the networks and a great loss to the public.

On May 1, Telford Taylor, General Counsel of the Commission, argued for the government in both the NBC and CBS cases. He outlined the alleged need for regulation of the networks, pointing to the physical limitations in the field of radio. He stated that because of exclusive contracts of affiliation one or more of the networks had to be excluded in the great majority of cities and towns, and that any new network coming into the field would have little or no opportunity to find outlets.

Chief Justice Stone remarked: "These facts go to the merits of the granting or denying of a license application, but are they necessary for a consideration of this jurisdictional question that is before us?"

"The facts are necessary for an understanding of the policy adopted by the Commission and form the crux of the jurisdictional issue," Mr. Taylor replied. Upon being questioned by Mr. Justice Jackson, Mr. Taylor stated that any attack on the unreasonableness of the regulations would have to await their application to a particular situation in a license proceeding reviewable under Section 402(b).

Referring to the rule prohibiting stations from granting option time, the Chief Justice inquired: "Isn't the effect of this rule to force broadcast stations to change their contracts with networks?"

"Irrespective of any disruption of existing contractual relations between the stations and the networks," replied Mr. Taylor, "the question here is one of legal injury."

"Legal injury to the extent that you are denying the network a hearing?" queried the Chief Justice.

"On the contrary," Mr. Taylor said, "we are contending that they must have a further hearing before they can come to the courts questioning the effect of a non-final order. They must have a hearing on some application and a final administrative act before they can bring the case to the courts."

At the conclusion of an hour of Mr. Taylor's argument, Charles E. Hughes, Jr., argued in behalf of CBS. He declared that the regulations, ostensibly directed at the actions of the broadcast stations, were in reality directed at the networks themselves. He contended that the stations had indicated an intention to comply with the regulations, and that as a result the networks would have no opportunity to contest the validity of the order until after they had disintegrated. Pointing out that a hearing was necessary only when the Commission refused an application he stated that if the stations, because of the expense of litigation, or the fear of "incurring the displeasure" of the Commission complied with the regulations there would be no hearings under Section 402(b) and, therefore, no opportunity for the networks to intervene.

"How much weight do you think we should give to the statement of Government's counsel that these regulations were merely a statement of policy rather than an order?" asked the Chief Justice.

"The impression of counsel is at war not only with the statement of the Commission in the regulations but with all subsequent orders issued by the Commission," replied Mr. Hughes.

Mr. Hughes argued that the effect of the order would be ruinous to the network system of nationwide broadcasts and would have considerable adverse effect upon the advertising on which the networks depend for their sole source of revenue.

On the point of the finality of the order in question, Mr. Justice Frankfurter inquired: "By casting the order in the form used, did the Commission evince a finality that satisfied the requirements of 402(a)?"

In reply Mr. Hughes stated: "This is a formal order adopting the regulations covering network broadcasting and indicating an intent not to deviate from the provisions contained therein. It certainly has not only the effect but also the technical requirements of an order within the meaning of 'order' in 402(a)."

As authority for his contention that a third party, here the networks, threatened with injury resulting from an unlawful coercion to breach or amend a contract to the damage of that third party may sue to enjoin the coercion, which in the case at bar, he asserted, was contained in the Commission's order, Mr. Hughes cited the cases of *Truax* v. *Raich,* 239 U. S. 33, and *Pierce* v. *Society of Sisters,* 265 U. S. 510.

Following Mr. Hughes appearance, Mr. Taylor concluded his argument and was followed by Louis G. Caldwell on behalf of Mutual. Mr. Caldwell contended that enforcement of the order would not disrupt the national network system but would operate for the benefit of the listening public. In support of his contention that the order is not reviewable under Section 402(a), he asserted that the regulation is a quasi-legislative, rather than a quasi-judicial, decision of the Commission, requiring no notice and hearing, and is therefore not reviewable until action under the regulation had been taken in a licensing proceeding under Section 402(b).

In his opening remarks Mr. Hughes asked the court to stay the operation of the regulations until ten days after their decision was handed down. The Chief Justice remarked that the decision on the motion for stay would be made promptly.

Sales

THEATRES SHOULD USE RADIO

In looking for major sources of replacement revenue, radio salesmen in many cities may find theatres to be promising prospects.

Not yet seriously affected by priorities or other wartime curtailments, motion picture exhibitors are among those who can derive considerable benefit from the widespread increase in national income. Their product, moreover, has the blessing of governmental morale agencies since attendance at the theatre provides a wholesome escape from war tension, and because patriotic films paradoxically are themselves, like radio, a great stimulus to civilian morale and to the victory program.

For that reason Volume 2, No. 8 of the "Results from Radio" series of trade studies, mailed to all member stations last week, was devoted to theatre advertising by radio. The outstanding job done by WSAZ in Huntington can, it is believed, be duplicated in hundreds of other cities throughout the country.

Additional ammunition for the radio salesman came to light this week, when a survey conducted by the Motion Picture Service Bureau, based on 508 interviews in greater New York, showed that persons who listen regularly to radio programs after 6 p. m. are also regular movie-goers, whereas those who do not listen to evening radio programs, or who listen rarely, are poor theatre fans.

By all rules of advertising logic, radio is an ideal advertising medium for exhibitors. Like no other medium, radio arouses interest, creates desire, appeals to the emotions, and reaches more people at a lower net cost. (For amplification of these points, cfr. "Manual of Radio Advertising.") The high-rated stars of radio and the box-office champions of the movies are very often the same people, and the two forms of entertainment in many respects are perfectly complementary.

One reason advanced for the sparing use of radio advertising by exhibitors in the past is that theatrical advertising managers often think in terms of "exploitation" rather than paid advertising. Free publicity, stunts and trade-deals often loom large in their program. Most of them have been trained in space-media, in the lavish use of photographs and alliterative headlines. Radio, requiring a newer technique and a cash budget, is sometimes not fully understood or appreciated. The point has also been made that radio suffered from a measure of prejudice because of its competitive function as an entertainment medium, although the Motion Picture Service Bureau survey should do much to dispel that feeling.

All these obstacles can be overcome, as they were in Huntington by WSAZ, if radio salesmen will undertake to learn the problems of the theatrical advertiser and if the program and production staffs of radio stations will assist the theatres in developing effective, economical campaigns.

A related field of entertainment, the circus, presented an even more difficult problem, but by consistent endeavor was finally won over to the advantages of radio advertising. If a successful selling job can be done on the circus, there seems no reason why even greater success cannot be achieved with the movies.

A factor in radio's favor is that priorities and shortages may soon affect some of the materials heretofore used in theatrical advertising. In Australia, for example, the same situation prevailed. Before the war, exhibitors did not use radio, but relied largely on newspaper, outdoor, posters, etc. Soon afterward shortages developed in newsprint, poster stock, engraving metals and other materials. Theatres turned to radio and shortly became one of the more important sources of local radio advertising revenue. There is no shortage of paper stocks yet in the United States, but many advertisers are keeping a worried eye on present sources of supply.

Radio, while not wishing to profit from the misfortunes of war that may befall other media, should nevertheless be alert to sell itself on its own inherent advantages to all logical prospects. On this basis, exhibitors who turn to radio, for any reason, will find it so effective that they will remain for all time in the ranks of satisfied air users.

In the national spot field several producers have shown increasing interest in the airwaves for paid promotion of outstanding features. Although most still remain in the free-time-exploitation class, some encouragement has been noted, as in the case of Paramount.

This week a letter to the NAB from Irving B. Kahn, director of radio promotion for Twentieth Century-Fox, stated:

> "No one will dispute the fact that up until four years ago, the radio industry and the motion picture industry were completely at odds. However, since that time, much has taken place to indicate that they can work together, and to the mutual advantage of both.
>
> "Our department has effected any number of national tieups and about a year ago, in an amateurish sort of way, we started in the spot radio field, which exhaustive surveys of our own theatre connections have shown us *is the ultimate outlet of every motion picture theater in a city that has a radio station.*"

Mr. Kahn advocates a program whereby: 1) radio salesmen would learn the problems of theatrical advertising, 2) would stage a thorough local sales campaign among exhibitors, and 3) producers would support this campaign with national spot expenditures and encouragement of radio as a medium for exhibitors.

"Nothing but a closer affiliation can come from this," he wrote. "I might add that in the past year the feeling of theatre operators toward radio advertising has changed from one of complete reluctance to visible attempts to cooperate. . . . In the motion picture industry there is a large potential advertising group; a group which can be sold on spot radio, and if you will try to sell it, we will strongly attempt to help you sell it."

The traditional "summer slump" is now facing exhibitors, whose problems have been further complicated by the adoption of national daylight-saving wartime. Radio thus has a chance to show its advertising effectiveness and its economy, at a time when these two items never meant more to theatre operators.

To supply valuable data for an industry-wide campaign, stations are invited to contribute case histories, program ideas, and suggestions. Such material sent to the NAB Department of Broadcast Advertising will be put in convenient form for the use of all members.

STATIONS WELCOME WAR BOND COPY

The package of broadcasting material and suggestions recently sent by the Treasury Department to all radio stations, for sale to local sponsors, has met with a warm reception.

Letters received by Vincent F. Callahan indicate that many stations have used this material effectively to secure local sponsors, thus providing some needed revenue and enabling the stations to do an even more effective job of promoting the war program.

The commercial manager of one Mid-Atlantic station reports:

> "I personally took the kit out and started canvassing, and on the first day sold 221 Treasury messages at the regular one-minute spot rate; this to give you an idea of how easy to sell these messages it really is. In a short time we hope to be running 100 per week, sponsored. The owners and management of this station sincerely appreciate your cooperation in making these announcements available for sale."

A New England station, reporting similar success, states:

> "I believe this is a step in the right direction, for economical conditions due to the curtailment of essentials has reduced our advertising income 75%. I believe that if the plan is taken up by other agencies, a lot of smaller stations will survive, where without some assistance they must close for the duration."

Another station commented that the revenue thus derived "permits us to carry a greater volume of war programs on a sustaining basis."

Mr. Callahan expects to be at Cleveland for the NAB convention where he will be available for consultation with broadcasters and where a supply of extra Treasury broadcasting kits will be on hand.

PEABODY AND MENDENHALL THE SAME

As indicated in last week's NAB Reports, the Peabody Co., of Mendenhall, Miss., is owned by Spurgeon Pickering, who also owns the Mendenhall Manufacturing Co., according to word received from him in response to an NAB inquiry.

Last year, many stations will recall, the Mendenhall Co. sent out per-inquiry orders on women's hosiery. Some stations, refusing the P-I deals, asked for firm contracts at regular rates, and later reported that their bills were not paid by Pickering.

Now the Peabody Co. is asking for rates and availabilities to advertise a perfume at 25 cents. The original inquiry was signed by "Sam Panicke," which seems to be another name for Spurgeon Pickering.

In his letter to the NAB, Mr. Pickering says: "You can see that I ask for no per-inquiry proposition and I told you last year that I would not ask for any more and the fact of the matter is that I don't want any. I am merely seeking more stations that have a record of pulling mail orders, and with such stations my terms with them will be cash, in advance.

"As you probably know, several stations were squawking last year because I would not pay them. That is, some that I instructed that if they did not pull 4 orders for every advertising dollar to discontinue my announcement. It is a fact that some of these stations did not produce a single order and rendered a bill for $100 or $200. According to my way of thinking and doing business I have paid all radio stations that have rendered the service to me.

"I am writing you these things because I am in sympathy with your line of work and in the past we have more or less worked together."

The NAB suggests that Mr. Pickering's "cash in advance" proposal should be accepted by any stations that wish to carry his account.

KERMIT-RAYMOND SEEKS TRADE

The Kermit-Raymond Corp. of New York, a program producing agency, is reported by NAB members to be seeking a trade deal whereby it will give the station one "Famous Father" transcription per week in exchange for 12 one-minute spots, the spots to be used by the agency in any way it wishes, and for any client. The requested deals are to run for 13 weeks.

That such a deal would be all to the benefit of the agency is obvious after a little simple arithmetic. On the first station reporting the offer, for example, the value of 12 daytime spots, figured at card rates after all discounts, was nearly $350 per week—for which Kermit-Raymond was willing to give one 15-minute transcription to be used as the station wished.

Labor

WAGE AND SALARY INCREASES

What is national policy with regard to wage and salary increases? No one seems to know exactly.

The best summary of the situation as of today (May 7) is contained in the following editorial from the *Baltimore Sun:*

NO CLARITY AS YET ON THE WAGE POLICY

Arbitral settlement of a wage controversy in Detroit and the President's telegram to a shipbuilding wage-stabilization conference meeting at Chicago are far from clarifying the Administration's wage program. The Detroit award, made under the terms of the construction agreement negotiated by Mr. Hillman with the AFL building-trades unions, provided wage increases for some of the less well-paid lines but denied wage increases to some of the better-paid lines. Yet in his radio address the President had said in so many words that "you will have to forego higher wages for your particular job for the duration of the war. . . ."

In the telegram to the Chicago shipbuilders' meeting Mr. Roosevelt declared that "the full percentage wage increase for which your contracts call, and to which, by the letter of the law, you are entitled, is irreconcilable with the national policy to control the cost of living." Inasmuch as these contracts were negotiated by Mr. Hillman's shipbuilding stabilization committee, and inasmuch as the President's message specifically stated that existing contracts must be carried through, the Chicago conferees may be forgiven if they are a little confused.

The President stated in his message that the War Labor Board would handle wage questions. But no clearer statement of wage policy has come from that source. Chairman Willam H. Davis is arguing, as usual, that each case will have to be decided on its merits. That seems to suggest that some cases may be found to warrant wage increases despite the apparent mandate of the President's words as quoted above.

This Administration, be it remembered, protests again and again that it does not believe in strict principle in labor matters. It has proceeded to date on the assumption that in labor disputes it "cannot ignore the acceptability of any proposed settlement to the particular party which has the greatest economic power to enforce its demands."

Such a policy of opportunism will, of course, have to be abandoned eventually. There are signs that its abandonment may be at hand so far as wages go. But as of now, no more than that can be said.

WOV CASE

Trial Examiner Earl S. Bellman, of the NLRB, announced his Intermediate Report recommending that Greater New York Broadcasting Corporation, New York City, operator of Station WOV, upon request, bargain collectively with American Communications Association, Local 16 (CIO), as sole collective bargaining agent of its employees.

Finding that the company had in various ways engaged in interference and coercion of its employees in their rights to self-organization, the Trial Examiner recommended that it cease discouraging membership in ACA or any other labor organization of its employees.

The company was also directed to reinstate with back pay 31 employees who went out on strike November 3 and 4, 1940, during bargaining negotiations. Subsequently, the company refused to bargain with the union, alleging that individual members had committed acts of sabotage. The Trial Examiner found that although the company had not refused to bargain collectively prior to the strike, it had done so afterwards. The fact that a strike intervened during negotiations, the Trial Examiner said, although it may have been "unwise and accompanied by wrongful acts," did not absolve the company from its duty to bargain. He held that the company's belief that the strikers had engaged in sabotage was "secondary" in determining the company's course of conduct in its "primary" determination to make good its threat to the strikers of loss of employment and to avoid dealing with the ACA.

KGFF BUYS BONDS

Joseph W. Lee, KGFF, reports that his entire staff has authorized salary deductions for purchase of war bonds.

"LIMITS OF CENSORSHIP"

Neville Miller was a contributor to a symposium on "The Limits of Censorship" published in the Spring issue of *The Public Opinion Quarterly*. The entire issue was devoted to various aspects of public opinion and its moulding. It should be of interest to all broadcasters.

FEDERAL LEGISLATION

HOUSE JOINT RESOLUTION

H. J. Res. 304 (Celler, D.-N. Y.) INVESTIGATIONS—To authorize the Federal Bureau of Investigation of the Department of Justice, the Military Intelligence Division of the War Department, and the Office of Naval Intelligence of the Navy Department to conduct certain investigations in the interest of prosecution of the war. Referred to Committee on Judiciary. Committed to the Committee of the Whole House on the state of the Union, April 23, 1942. Recommitted to Committee on Judiciary, May 4, 1942.

IDAHO

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings Having Radios by County, and Cities of 2500 or More Population—Urban, Rural-Nonfarm and Rural-Farm: 1940*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Ada	14,423	91.1	13,140	7,866	93.3	7,337	3,600	88.1	3,172	2,957	89.0	2,631
Adams	971	74.5	724	......	....	......	510	74.5	380	461	74.6	344
Bannock	8,892	90.5	8,048	5,574	94.1	5,244	1,463	88.4	1,293	1,855	81.4	1,511
Bear Lake	1,961	94.6	1,855	734	95.4	700	548	94.0	515	679	94.3	640
Benewah	2,103	81.7	1,718	......	....	......	1,350	83.5	1,128	753	78.3	590
Bingham	4,964	87.2	4,325	1,034	94.3	975	1,340	88.8	1,190	2,590	83.4	2,160
Blaine	1,473	82.6	1,216	......	....	......	1,132	83.3	943	341	80.1	273
Boise	753	70.4	530	......	....	......	533	70.0	373	220	71.5	157
Bonner	4,606	76.4	3,517	1,347	83.0	1,118	1,440	76.9	1,108	1,819	71.0	1,291
Bonneville	6,467	89.0	5,757	4,010	89.1	3,571	494	88.6	438	1,963	89.1	1,748
Boundary	1,657	81.8	1,355	......	....	......	828	85.4	707	829	78.2	648
Butte	504	76.6	386	......	....	......	217	75.6	164	287	77.3	222
Camas	369	89.3	330	......	....	......	164	91.9	151	205	87.3	179
Canyon	11,225	87.9	9,864	5,675	90.1	5,114	1,229	80.8	993	4,321	87.0	3,757
Caribou	630	88.2	555	......	....	......	415	91.2	378	215	82.2	177
Cassia	3,488	85.3	2,977	1,399	87.1	1,219	507	85.8	435	1,582	83.6	1,323
Clark	276	88.5	244	......	....	......	160	93.5	150	116	81.0	94
Clearwater	2,254	78.4	1,766	......	....	......	1,609	78.7	1,266	645	77.6	500
Custer	1,008	75.7	764	......	....	......	626	73.1	458	382	80.2	306
Elmore	1,549	79.9	1,237	......	....	......	1,066	85.9	916	483	66.5	321
Franklin	2,357	93.5	2,203	1,050	95.1	998	338	94.2	318	969	91.5	887
Fremont	2,430	86.8	2,109	700	84.6	592	798	88.9	709	932	86.7	808
Gem	2,601	84.0	2,186	919	92.4	849	460	78.7	362	1,222	79.8	975
Gooding	2,451	82.3	2,018	726	88.6	643	480	87.6	421	1,245	76.6	954
Idaho	3,543	78.7	2,790	......	....	......	1,926	77.8	1,498	1,617	79.9	1,292
Jefferson	2,522	88.3	2,227	......	....	......	1,099	88.9	977	1,423	87.8	1,250
Jerome	2,546	85.5	2,178	931	88.7	826	281	84.1	236	1,334	83.7	1,116
Kootenai	6,723	86.2	5,796	3,209	91.9	2,948	1,566	82.3	1,289	1,948	80.0	1,559
Latah	5,355	88.9	4,758	1,850	94.7	1,752	1,411	87.8	1,239	2,094	84.4	1,767
Lemhi	1,890	73.0	1,381	......	....	......	1,236	71.9	889	654	75.2	492
Lewis	1,302	89.0	1,159	......	....	......	750	88.8	666	552	89.4	493
Lincoln	1,137	79.5	904	......	....	......	601	84.8	510	536	73.6	394
Madison	2,098	89.4	1,876	862	93.8	809	290	84.8	246	946	86.8	821
Minidoka	2,563	86.6	2,221	907	85.3	774	371	84.9	315	1,285	88.1	1,132
Nez Perce	5,620	88.0	4,948	3,394	90.4	3,069	801	82.9	664	1,425	85.3	1,215
Oneida	1,285	90.1	1,159	683	93.9	642	100	88.0	88	502	85.4	429
Owyhee	1,526	68.2	1,041	......	....	......	648	71.6	464	878	65.8	577
Payette	2,687	85.0	2,285	1,017	87.4	889	563	79.5	448	1,107	85.6	948
Power	1,033	82.7	854	......	....	......	551	84.2	464	482	80.9	390
Shoshone	6,073	90.4	5,489	2,308	94.1	2,171	3,508	88.7	3,112	257	80.2	206
Teton	817	82.2	672	......	....	......	374	86.1	322	443	78.9	350
Twin Falls	9,979	89.7	8,948	3,459	90.9	3,145	2,728	87.2	2.378	3,792	90.3	3,425
Valley	1,162	78.8	916	......	....	......	827	82.6	683	335	69.5	233
Washington	2,454	83.4	2,045	1,120	86.5	968	297	78.6	233	1,037	81.4	844
State Total	141,727	86.4	122,471	50,774	91.3	46,353	41,235	84.1	34,689	49,718	83.3	41,429

* *Source:* Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Report for Idaho.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 4,206 Occupied Dwelling Units because answers to radio question were not obtained in enumeration.

MONTANA

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings Having Radios by County, and Cities of 2500 or more Population—Urban, Rural-Nonfarm and Rural-farm: 1940*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Beaverhead	2,321	75.9	1,763	1,003	83.2	834	524	74.6	391	794	67.7	538
Big Horn	2,516	79.4	1,999	......	....	......	1,197	78.5	940	1,319	80.3	1,059
Blaine	2,443	78.5	1,916	......	....	......	1,264	81.0	1,024	1,179	75.6	892
Broadwater	958	77.6	744	......	....	......	605	79.7	482	353	74.2	262
Carbon	3,303	82.8	2,737	923	86.9	802	1,051	83.7	880	1,329	79.4	1,055
Carter	910	77.9	709	......	....	......	243	75.1	183	667	78.9	526
Cascade	12,442	90.6	11,270	9,125	92.9	8,475	1,783	84.9	1,513	1,534	83.6	1,282
Chouteau	2,121	86.6	1,837	......	....	......	849	87.1	740	1,272	86.3	1,097
Custer	2,958	88.5	2,618	2,152	90.7	1,952	262	88.5	232	544	79.7	434
Daniels	1,172	90.1	1,056	......	....	......	523	90.3	472	649	90.0	584
Dawson	2,265	90.2	2,041	1,219	95.9	1,170	186	82.8	154	860	83.4	717
Deer Lodge	4,062	91.2	3,704	3,314	92.5	3,066	489	86.3	422	259	83.3	216
Fallon	930	88.1	819	......	....	......	476	90.7	432	454	85.3	387
Fergus	4,037	86.8	3,503	1,741	89.6	1,560	800	82.0	656	1,496	86.0	1,287
Flathead	7,111	88.6	6,296	3,359	91.0	3,057	1,726	87.8	1,515	2,026	85.1	1,724
Gallatin	5,249	86.8	4,558	2,628	88.9	2,336	1,172	82.6	1,010	1,449	83.6	1,212
Garfield	758	77.8	590	......	....	......	238	75.0	179	520	79.1	411
Glacier	2,386	75.6	1,805	739	91.7	678	1,127	70.3	792	520	64.3	335
Golden Valley	463	86.0	399	......	....	......	198	85.2	169	265	86.6	230
Granite	1,143	77.9	890	......	....	......	818	78.4	642	325	76.4	248
Hill	3,556	90.0	3,198	1,742	95.1	1,657	680	85.5	581	1,134	84.7	960
Jefferson	1,224	82.7	1,013	......	....	......	824	83.3	686	400	81.6	327
Judith Basin	1,027	87.5	899	......	....	......	433	87.9	381	594	87.2	518
Lake	3,640	83.0	3,022	......	....	......	1,810	84.3	1,527	1,830	81.7	1,495
Lewis and Clark	6,745	87.8	5,924	4,885	90.1	4,373	1,258	83.7	1,053	632	78.7	498
Liberty	647	85.3	552	......	....	......	252	87.1	220	395	84.1	332
Lincoln	2,347	79.4	1,864	......	....	......	1,629	82.4	1,343	718	72.5	521
McCone	1,004	85.2	856	......	....	......	296	82.8	245	708	86.2	611
Madison	2,136	77.6	1,657	......	....	......	1,244	82.3	1,023	892	71.1	634
Meagher	659	82.6	544	......	....	......	388	79.4	308	271	87.2	236
Mineral	727	78.3	569	......	....	......	597	79.1	472	130	74.6	97
Missoula	8,296	89.2	7,396	5,530	90.8	5,023	1,784	88.3	1,575	982	81.2	798
Musselshell	1,677	85.9	1,440	768	92.1	707	538	83.9	451	371	76.0	282
Park	3,454	87.9	3,032	1,963	92.3	1,812	691	82.7	572	800	81.0	648
Petroleum	333	77.6	259	......	....	......	162	78.8	128	171	76.5	131
Phillips	2,304	80.2	1,848	......	....	......	1,258	80.4	1,011	1,046	80.0	837
Pondera	1,794	84.2	1,511	......	....	......	883	83.1	733	911	85.4	778
Powder River	924	71.4	659	......	....	......	181	81.5	147	743	68.9	512
Powell	1,852	82.6	1,530	864	93.1	805	446	73.8	328	542	73.3	397
Prairie	647	81.0	525	......	....	......	397	81.0	322	250	81.0	203
Ravalli	3,724	81.3	3,028	......	....	......	1,786	84.4	1,507	1,938	78.5	1,521
Richland	2,625	86.2	2,264	798	91.4	730	475	85.8	407	1,352	83.4	1,127
Roosevelt	2,462	83.0	2,044	......	....	......	1,449	85.5	1,239	1,013	79.5	805
Rosebud	1,745	75.0	1,309	......	....	......	990	75.4	746	755	74.5	563
Sanders	2,065	76.3	1,575	......	....	......	1,150	77.0	885	915	75.4	690
Sheridan	2,011	85.8	1,726	......	....	......	955	87.6	837	1,056	84.2	889
Silver Bow	16,594	90.7	15,048	11,881	90.4	10,737	4,448	92.4	4,108	265	76.7	203
Stillwater	1,592	85.9	1,368	......	....	......	725	85.3	619	867	86.3	749
Sweet Grass	1,109	82.0	908	......	....	......	505	86.8	438	604	77.9	470
Teton	1,996	86.6	1,729	......	....	......	873	89.5	782	1,123	84.3	947
Toole	1,973	86.4	1,705	719	88.1	633	721	87.9	634	533	82.2	438
Treasure	395	80.6	318	......	....	......	145	82.7	120	250	79.4	198
Valley	4,096	88.2	3,611	1,077	91.5	986	1,863	87.7	1,634	1,156	85.8	991
Wheatland	911	88.1	803	......	....	......	665	89.5	595	246	84.4	208
Wibaux	564	86.9	491	......	....	......	209	85.0	178	355	88.1	313
Yellowstone	11,542	90.1	10,403	7,748	92.2	7,143	1,480	89.1	1,319	2,314	83.9	1,941
Yellowstone National Park (part)	18	100.0	18	......	....	......	16	100.0	16	2	100.0	2
State Total	159,963	86.2	137,900	64,148	91.3	58,536	49,737	84.4	41,998	46,078	81.1	37,366

* *Source:* Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Report for Montana.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 3,939 Occupied Dwelling Units because answers to the radio question were not obtained in enumeration.

IDAHO

CITIES OF 2500 OR MORE POPULATION

City	County	Units	% Radio	Radio Units
Boise City	Ada	7,866	93.3	7,337
Alameda village	Bannock	635	94.1	597
Pocatello	"	4,939	94.1	4,647
Montpelier	Bear Lake	734	95.4	700
Blackfoot	Bingham	1,034	94.3	975
Sandpoint	Bonner	1,347	83.0	1,118
Idaho Falls	Bonneville	4,010	89.1	3,571
Caldwell	Canyon	2,154	89.4	1,925
Nampa	"	3,521	90.4	3,189
Burley	Cassia	1,399	87.1	1,219
Preston	Franklin	1,050	95.1	998
St. Anthony	Fremont	700	84.6	592
Emmett	Gem	919	92.4	849
Gooding city	Gooding	726	88.6	643
Jerome city	Jerome	931	88.7	826
Coeur d'Alene	Kootenai	3,209	91.9	2,948
Moscow	Latah	1,850	94.7	1,752
Rexburg	Madison	862	93.8	809
Rupert	Minidoka	907	85.3	774
Lewistown	Nez Perce	3,394	90.4	3,069
Malad City village	Oneida	683	93.9	642
Payette city	Payette	1,017	87.4	889
Kellogg	Shoshone	1,245	94.8	1,180
Wallace	"	1,063	93.3	991
Twin Falls city	Twin Falls	3,459	90.9	3,145
Weiser	Washington	1,120	86.5	968

MONTANA

CITIES OF 2500 OR MORE POPULATION

City	County	Units	% Radio	Radio Units
Dillon	Beaverhead	1,003	83.2	834
Red Lodge	Carbon	923	86.9	802
Great Falls	Cascade	9,125	92.9	8,475
Miles City	Custer	2,152	90.7	1,952
Glendive	Dawson	1,219	95.9	1,170
Anaconda	Deer Lodge	3,314	92.5	3,066
Lewistown	Fergus	1,741	89.6	1,560
Kalispell	Flathead	2,561	90.5	2,318
Whitefish	"	798	92.7	739
Bozeman	Gallatin	2,628	88.9	2,336
Cut Bank town	Glacier	739	91.7	678
Havre	Hill	1,742	95.1	1,657
Helena	Lewis & Clark	4,885	90.1	4,373
Missoula city	Missoula	5,530	90.8	5,023
Roundup	Musselshell	768	92.1	707
Livingston	Park	1,963	92.3	1,812
Deer Lodge	Powell	864	93.1	805
Sidney	Richland	798	91.4	730
Butte	Silver Bow	11,881	90.4	10,737
Shelby	Toole	719	88.1	633
Glasgow	Valley	1,077	91.5	986
Billings	Yellowstone	6,971	92.2	6,428
Laurel	"	777	92.1	715

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 11. They are subject to change.

Monday, May 11

Consolidated Hearing

KGGM—New Mexico Broadcasting Co., Albuquerque, N. M.—C. P., **590 kc.,** 5 KW day, 1 KW night, unlimited, DA-night.

KVSF—New Mexico Broadcasting Co., Santa Fe, N. M.—C. P., **1260 kc.,** 1 KW, unlimited.

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich. Renewal of license, **1230 kc.,** 100 watts night, 250 watts day, unlimited.

Wednesday, May 13

Further Consolidated Hearing

NEW—Herald Publishing Company, Klamath Falls, Ore.—C. P., **1400 kc.,** 250 watts, unlimited.

NEW—Dorman Schaeffer, Klamath Falls, Ore.—C. P., **1400 kc.,** 250 watts, unlimited.

Thursday, May 14

Consolidated Hearing

WJMS—WJMS, Incorporated, Ironwood, Mich.—Renewal of license, **1450 kc.,** 250 watts, unlimited.

WATW—WJMS, Incorporated, Ashland, Wisc.—Renewal of license, **1400 kc.,** 100 watts, unlimited.

Friday, May 15

NEW—Frequency Broadcasting Corp., Brooklyn, N. Y.—C. P., **45900 kc.,** 8,500 sq. mi., unlimited.

Further Hearing

NEW—Portsmouth Radio Corp., Portsmouth, Va.—C. P., **1490 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Granted application in part for extension of special service authorization to operate with 25 KW night power until September 30, 1942.

WJMA—John & Marcia Arrington, d/b as Arrington & Arrington (Assignors), Earl M. Key (Assignee), Covington, Va.—Granted consent to assignment of license (B2-AL-337) for station WJMA, from John F. and Marcia Arrington to Earl M. Key, for a total consideration of $15,000.

WJMS—WJMS, Inc., Ashland, Wisc.—Granted petition of WJMS, Inc., licensee of Stations WJMS and WATW, requesting reconsideration and the setting aside of the Commission's Order of December 30, 1941, designating for hearing applications for renewal of licenses; cancelled hearing and granted renewal of licenses for said stations WJMS and WATW.

DESIGNATED FOR HEARING

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Designated for hearing application for modification of license (B1-ML-1116) to move main studio from 50 Journal Square, Jersey City, N. J., to 15 Hill Street, Newark, N. J.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the period ending October 1, 1942:

KGBX, Springfield, Mo.; KHSL, Chico, Cal.; KTRH, Houston, Tex.; KXA and auxiliary, San Francisco; WFBM, Indianapolis; WFBR and auxiliary, Baltimore, Md.; WGBF, Evansville, Ind.; WHBF, Rock Island, Ill., and WJMA, Covington, Va.

The following stations were granted renewals of licenses for the period ending August 1, 1944:

KOIN, Portland, Ore.; KPAC, Port Arthur, Tex.; KTMS, Santa Barbara, Cal.; KRSC, Seattle, Wash.; KWSC, Pullman, Wash.; WAVE, Louisville, Ky.; WDAE, Tampa, Fla.; WDBJ and auxiliary, Roanoke, Va.

KGU—Marion A. Mulrony & Advertiser Publishing Co., Ltd., Honolulu, T. H.—Granted renewal of license for the period ending February 1, 1944.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted renewal of license for the period ending June 1, 1944.

KFYR—Meyer Broadcasting Co., Bismarck, N. D.—Granted renewal of license for the period ending June 1, 1944.

KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—Granted renewal of license for the period ending June 1, 1944.

WRNL—Richmond Radio Corp., Richmond, Va.—Granted renewal of license for main and auxiliary for the period ending August 1, 1942.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Granted renewal of license for the period ending August 1, 1942.

WSUI—State University of Iowa, Iowa City, Iowa.—Granted renewal of license for the period ending August 1, 1942.

W45V—Evansville On the Air, Inc., Evansville, Ind.—Granted renewal of license for the period ending May 1, 1943.

W47NV—The National Life & Accident Insurance Co., Nashville, Tenn.—Granted renewal of license for the period ending May 1, 1943.

W51C—Zenith Radio Corp., Chicago, Ill.—Granted renewal of license for the period ending May 1, 1943.

W2XWE—WOKO, Inc., Albany, N. Y.—Granted renewal of license for the period ending March 1, 1943.

MISCELLANEOUS

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted modification of construction permit which authorized new transmitter, changes in antenna system and move transmitter location, for changes in transmitter, move present antenna to new site specified in construction permit, and extension of completion date to 180 days after grant (B4-MP-1555).

Florida National Building Corp., Miami, Fla.—Granted petition to dismiss without prejudice application for construction permit for new station (Docket 6285).

Genesee Broadcasting Corp., Flint, Mich.; The WTBS Radio Co., Inc., Toledo, Ohio.—Granted joint petition to dismiss without prejudice applications for construction permits for new stations (Docket Nos. 6247 and 6248, respectively).

Portsmouth Radio Corp., Portsmouth, Va.—Granted petition to continue further hearing set for April 28, 1942, in re application for construction permit, until May 15, 1942 (Docket No. 6164).

Herman Radner, Dearborn, Mich.—Granted motion to take depositions in re application for new station, and continue hearing to June 17.

WSON—Paducah Broadcasting Co., Inc., Henderson, Ky.—Granted motion for continuance of hearing on application for modification of construction permit, to May 7.

Camden Broadcasting Co., Camden, N. J.—Granted motion for continuance of hearing to June 15 on application for a new station.

WICA—WICA, Inc., Ashtabula, Ohio.—Granted motion for continuance of hearing to June 10 on application of WICA and of WWSW to operate on frequency **970 kc.**

WMVA—Martinsville Broadcasting Co., Inc., Martinsville, Va.—Granted license to cover construction permit which authorized move of transmitter location, increase in power and new vertical antenna system (B2-L-1651); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1384).

WHP—WHP, Inc., Harrisburg, Pa.—Granted license to cover construction permit for auxiliary transmitter for emergency use only with power of 500 watts (B2-L-1634).

KRSA—The Associated Broadcasters, Inc. (Area of San Francisco). —Granted license to cover construction permit which authorized new relay broadcast station (B5-LRY-261). Also granted license for new special portable-mobile relay broadcast station using already licensed equipment (KRSA) (B5-LRY-260).

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Granted license to cover construction permit, as modified, for installation of directional antenna system to be employed day and night, installation of new transmitter, increase in power and move of transmitter to new location (B1-L-1647); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1381).

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Granted license to cover construction permit for changes in directional antenna system (B5-L-1652); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1385); this authority is granted upon a temporary basis only, subject to expressed condition.

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Granted modification of license to change name of licensee from Burlington Daily News, Inc., to WCAX Broadcasting Corp. (B1-ML-1119).

WBAL—WBAL Broadcasting Co., Baltimore, Md.—Granted license to cover construction permit for move of old main transmitter to site of new main transmitter, for emergency use only as auxiliary transmitter (B1-L-1641); granted authority to determine operating power by direct measurement (B1-Z-1375).

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted modification of construction permit as modified, to install new transmitter, directional antenna for night use, change in frequency, increase in power and move transmitter, for extension of completion date from April 21 to May 21, 1942 (B3-MP-1553).

WBWB—Banks of The Wabash, Inc., Portable-Mobile, Area of Terre Haute, Ind.—Granted license to cover construction permit for new relay broadcast station (B4-LRY-262).

WHAE—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted license to cover construction permit for new relay broadcast station (B2-LRE-380).

KEHC—Topeka Broadcasting Association, Inc., Portable-Mobile, Area of Topeka, Kans.—Granted license to cover construction permit which authorized changes in equipment, frequencies, and increase in power of relay broadcast station (B4-LRY-258).

WORK—York Broadcasting Co., York, Pa.—Granted modification of construction permit for installation of directional antenna system for night use only, for extension of completion date from April 5 to June 30, 1942 (B2-MP-1542).

WJPA—Washington Broadcasting Co., Washington, Pa.—Granted license to cover construction permit as modified for new broadcast station (B2-L-1630); granted authority to determine operating power by direct measurement (B2-Z-1361).

WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—Denied petition for reconsideration and grant of application (B2-P-2692) to change frequency from **1480** to **1220 kc.**, which was designated for hearing on April 7, 1942, with related applications of WHBC and WADC.

WGNY—WGNY Broadcasting Co., Inc., Newburgh, N. Y.—Denied special service authorization (B1-SSA-13) to operate on **1220 kc.** with 1 KW power, unlimited time.

WOAI—Southland Industries, Inc., San Antonio, Tex.—Granted petition to intervene in the hearing on application of The Walmac Co. for a new station in Alice, Tex.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Granted motion for postponement to June 3 of hearing on applications for construction permits of KGGM and KVSF.

Granite District Radio Broadcasting Co., Murray, Utah.—Granted request for continuance of hearing on application for new station to June 5.

Portsmouth Radio Corp., Portsmouth, Va.—Granted motion for continuance of hearing on application for new station to June 17.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Dismissed petition to intervene in the hearing on application of Butler Broadcasting Corp. for a new station in Hamilton, Ohio.

KFRO—Voice of Longview, Longview, Tex.—Granted motion to withdraw without prejudice application for modification of license (B3-MP-872).

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—Granted petition to dismiss without prejudice application for construction permit (B5-P-3113).

WJMS-WATW—WJMS, Inc., Ironwood, Mich.; Ashland, Wis.—Granted modification of licenses (B2-ML-1118 and B4-ML-1120) to change the corporate name of licensee from WJMS, Inc., to Upper Michigan Wisconsin Broadcasting Co., Inc.

Roy B. Albaugh, Waco, Tex.—Granted petition for leave to dismiss without prejudice application for construction permit for new broadcast station (Docket No. 6219).

APPLICATIONS FILED AT FCC

620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Construction permit to move transmitter and studio locations from San Juan District and Tanca and Tetuan Sts., San Juan to Sabana Llana, Rio Piedras Municipality and Calle Teuan Esquina Tanca, San Juan, Puerto Rico, respectively.

690 Kilocycles

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Construction permit to change frequency from **1380** to **690 kc.**, increase power from 500 watts night, 1 KW day to 1 KW, install directional antenna for day and night use.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Transfer of control of WHEB, Inc., from R. G. LeTourneau to The LeTourneau Foundation, thru sale of 750 (75%) shares of stock.

790 Kilocycles

WEAN—The Yankee Network, Inc., Providence, R. I.—Modification of construction permit (B1-P-3244) which reinstated B1-P-2037 as modified for changes in directional antenna and increase in power, requesting changes in directional antenna and extension of commencement and completion dates from 11-9-41 and 5-9-42 to 10 days after grant and 60 days thereafter, respectively.

WEAN—The Yankee Network, Inc., Providence, R. I.—Modification of construction permit (B1-P-3244) which reinstated construction permit B1-P-2037 as modified for changes in directional antenna and increase in power, requesting extension of completion date from 5-9-42 to 7-8-42.

WTAR—WTAR Radio Corp., Norfolk, Va.—Authority to determine operating power by direct method.

950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Modification of construction permit (B3-P-2791) as modified, for increase in power and installation of directional antenna for night use, requesting extension of completion date from 5-8-42 to 8-7-42.

970 Kilocycles

WCSH—Congress Square Hotel Co., Portland, Maine.—Construction permit to install new transmitter.

WFLA—The Tribune Co., Tampa, Fla.—Construction permit to increase power from 1 KW night, 5 KW day to 5 KW and make changes in directional antenna night.

1030 Kilocycles

KARM—KARM, The George Harm Station, Fresno, Calif.—Modification of license to change frequency from **1430** to **1030 kc.**

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Modification of construction permit (B5-P-2783) as modified for new equipment and increase in power, requesting extension of completion date from 6-1-42 to 8-1-42.

1180 Kilocycles

WLDS—Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, Jacksonville, Ill.—Authority to determine operating power by direct method.

1240 Kilocycles

WJW—WJW, Inc., Akron, Ohio.—Modification of construction permit (B2-P-3263) for new transmitter, directional antenna, increase in power, change frequency and move transmitter, requesting changes in directional antenna, change transmitter location and extension of commencement and completion dates from 3-20-42 and 9-20-42 to 60 days after grant and 180 days thereafter, respectively.

1250 Kilocycles

KPAC—Port Arthur College, Port Arthur, Tex.— Modification of license to increase power from 500 watts to 1 KW using directional antenna at night. Amended: re changes in directional antenna.

1280 Kilocycles

KOBH—Black Hills Broadcast Co. of Rapid City, Rapid City, S. Dak.—Construction permit to change frequency from **1400** to **1280 kc.** (contingent on WTCN's changing to **710 kc.**), increase power from 250 watts to 1 KW night, 5 KW, install new transmitter and vertical antenna. Facilities WTCN requested. Amended to request **610 kc.**, change type of transmitter, increase power to 5 KW, install directional antenna for day and night use, move transmitter and omit request for facilities of WTCN.

1340 Kilocycles

WGTM—WGTM, Inc., Wilson, N. C.—Authority to install automatic frequency control equipment.

1350 Kilocycles

WORK—York Broadcasting Co., York, Pa.—Modification of construction permit (B2-P-3205) for installation of directional antenna for night use, requesting authority to install new transmitter and extension of commencement and completion dates to 10 days after grant and 20 days thereafter, respectively.

1380 Kilocycles

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Special service authorization to operate on **690 kc.** for period ending 8-1-42.

1400 Kilocycles

WBNY—Roy L. Albertson, Buffalo, N. Y.—Modification of license to change hours of operation from specified to unlimited (hours relinquished by Station WSVS).

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Construction permit to rebuild station after destruction by fire and move studio.

KWON—Bartlesville Broadcasting Co., Bartlesville, Okla.—License to cover construction permit (B3-P-3282) for a new broadcast station.

KWON—Bartlesville Broadcasting Co., Bartlesville, Okla.—Authority to determine operating power by direct method.

WBTM—Piedmont Broadcasting Corp., Danville, Va.—Authority to determine operating power by direct method.

1450 Kilocycles

WHIT—Coastal Broadcasting Co., New Bern, N. C.—License to cover construction permit (B3-P-3239) as modified for a new broadcast station.

WHIT—Coastal Broadcasting Co., New Bern, N. C.—Authority to determine operating power by direct method.

FM APPLICATIONS

W95NJ—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of construction permit (B1-PH-72) which authorized new high frequency broadcast station, requesting move of transmitter location and extension of commencement and completion dates from 3-27-42 and 9-27-42 to 60 days after grant and 180 days thereafter, respectively.

W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y. —Modification of construction permit (B1-PH-46) as modified for a new high frequency broadcast station, requesting extension of commencement and completion dates from 12-12-41 and 6-12-42 to 6-12-42 and 12-12-42, respectively.

W31NY—Edwin H. Armstrong, Alpine, N. J.—Modification of construction permit (B1PH-82) as modified for a new high frequency broadcast station, requesting extension of completion date from 5-4-42 to 11-4-42.

MISCELLANEOUS APPLICATIONS

WNRB—The National Life and Accident Insurance Co., Nashville, Tenn.—License to cover construction permit (B3-PRE-422) for a new relay broadcast station.

WMWB—Harmon LeRoy Stevens and Herman LeRoy Stevens, d/b as Port Huron Broadcasting Co., Portable-Mobile.—License to cover construction permit (B2-PRY-255) for a new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Charboy Products, Inc., Red Bank, N. J., is charged, in a complaint, with misrepresentation in the sale of "Cuproloid," a medicinal preparation. (4756)

Stayner Corporation—A complaint has been issued against Stayner Corp., San Francisco, and its advertising representative, Erwin, Wasey & Co. of the Pacific Coast, 333 Montgomery St., San Francisco. Stayner Corp., which maintains a plant in Berkeley, Calif., is engaged in compounding a preparation known as "Minra." (4757)

Zonite Products Corp., 370 Lexington Ave., New York, and its advertising representative, H. W. Kastor & Sons Advertising Co., Inc., Chicago, are charged in a complaint with disseminating false advertisements concerning two feminine hygiene products designated "Zonite Liquid" and "Zonitors." Zonite corporation operates a factory in New Brunswick, N. J. (4755)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Wineholt Co. and as Mervin Wineholt Co., Woodbine, Pa., has been ordered to cease and desist from misrepresentations in the sale of merchandise. (4691)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Automatic Gas Equipment Co., 2216 Commerce St., Dallas, Texas, engaged in the sale of butane gas systems, stipulated that they will discontinue the use in advertising matter of any picture of a plant or factory, either alone or with the word "manufacturers," to imply that they own and operate, or directly control, the building displayed in such advertising. They also agree to cease using the word "manufacturers" or any word of similar import to describe the nature of their business with respect to the tank or any other designated part of their gas systems which is not manufactured by them. (3473)

Fabric Products Manufacturing Co., 557 West Jackson Blvd., Chicago, manufacturers of bowl covers and food bags designated "Frigerettes," stipulated that they will discontinue use of the word "odorless" or any other term of similar meaning as descriptive of their products which are not actually devoid of odor. (3472)

Jean Jordeau, Inc., South Orange, N. J., stipulated that, in the sale of "Jordeau Waterless Shampoo," it will discontinue referring to the preparation as "waterless"; stop representing by expressions such as "Eliminates dandruff" that the product is a competent treatment or an effective remedy for dandruff, and cease advertising that use of the shampoo is a competent treatment for or an adequate preventive of colds. (3476)

Mohawk Bedding Co., 3159 West Roosevelt Road, Chicago, has entered into a stipulation to cease and desist, in connection with the sale of "Health Rest" mattresses, from the use in radio or other advertising of any price figure which purports to be the regular retail price of a mattress, but which actually is in excess of the price at which it is customarily sold in the usual course of business; of any purported price representation, in connection with a suggested retail price of less amount, to imply that the price of the mattress has been reduced; of the phrase "selling for a limited time only" or any phrase of similar implication in referring to the advertised offer of a mattress, so as to imply that the offer is a special one or is for a fixed period of time only; and of the words "makers of" or the phrase "Direct from factory to you," the effect of which tends to convey the impression that the respondent manufactures the mattresses he sells or that he owns and operates or absolutely controls the factory in which they are made. (3474)

Muscle-Rub Co., Inc., and Herman H. Kronberg, trading as Muscle-Rub Co., 1631 Vine St., Philadelphia, has entered into a stipulation to cease certain representations in the advertisement and sale of their rubefacient preparation "Muscle-Rub." The respondents agree to cease representing that Muscle-Rub is a new discovery or is effective in the relief of pain due to rheumatism, lumbago, neuritis, sciatica, neuralgia or lameness, or possesses any therapeutic value in excess of affording temporary relief as a mild counterirritant rub in those cases of minor pain or discomfort where use of a counterirritant rub is indicated. (02973)

National Hog Remedy Co., Raleigh, N. C., stipulated that he will cease and desist from representing that his preparation designated "National Hog Remedy" is of benefit in remedying or curing hogs of any sickness in excess of such benefit as may result from the action the preparation may have as a tonic, mineral supplement and appetizer. The respondent further agrees to discontinue use of the word "remedy" or any word of similar meaning as part of the name of his organization or to describe his preparation, and to cease publishing any advertisement relating to any tests conducted at the experiment station of North Carolina State College which fails to reveal all facts material in the light of the representation, including when such tests were made or reported and the particular feed used during the tests. (02974)

Southern Broadcasting Stations, Inc., Atlanta, in the sale of the facilities of its radio station, WGST, for advertising purposes, agrees under a stipulation entered into, to discontinue representing that WGST has more listeners than any other radio station in Atlanta, unless such is a fact; and that the station's power is 5,000 watts, unless such power is actually authorized for use and used by the station during its entire broadcasting period or unless it is clearly explained that such power is authorized and used only during certain specified hours. (02975)

United Wire Goods Manufacturing Co., Inc., Garnerville, N. Y., dealer in house furnishings and hardware products, entered into a stipulation to cease and desist from using the word "stainless" in any manner to imply that the knives and forks so designated are made of stainless steel, and from representing that such products have been rendered resistant to corrosion by an alleged stainless plate process. (3471)

P. E. Walker & Co., R. R. 13, Portland, Oreg., engaged in the sale of home medicinal remedies, entered into a stipulation to cease and desist from representing that the preparation designated "Walker's Indian Herbs" will cure or be of any value in the treatment of diabetes, or that its continued use will enable a patient to gradually consume less insulin; and that the preparation called "Walker's Health Tonic" will be of value for stomach troubles and ulcers generally, clean the blood, restore action to the liver and kidneys and remove gravel or gall stones, or serve other than as a bitter stomachic, a mild laxative and a diuretic. (3477)

John P. Kenston & Co., Secaucus, N. J., has entered into a stipulation to cease and desist from representing that the addition of its "Wenston's Motor Life Gas Tonic" to low grade gasoline will augment its power to that of high grade gasoline; that the addition of the preparation to gasoline will increase the volatility thereof, assuring easier starting and better running of a car in cold weather; that its use will add 50 per cent of any appreciable amount to the life of the motor, or prevent carbon and thereby effect appreciable reduction of engine friction or any increase in power economy. (3475)

FTC CASE DISMISSED

The Federal Trade Commission dismissed its complaint which had charged the Electric Storage Battery Co., Philadelphia, and its subsidiary, Willard Storage Battery Co., Cleveland, with acquisition of the capital stock of the Grant Storage Battery Co., Minneapolis, in violation of Section 7 of the Clayton Act.

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NAB Reports
NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Annual Report, 1942

The President

The radio industry has passed some real milestones during the past twelve months and we can review our activities with pride and satisfaction.

The highlights of the year were our many activities in connection with the war, our successful conclusion of the present phase of our music copyright controversy, the defeat of a discriminatory tax on radio and the start of what we hope will be a successful effort to secure a long needed revision of the radio law.

National War Activities

Our principal job has been to help our government in every way possible to win this war, and to accomplish this objective the entire broadcasting industry has gladly devoted its time and energy. It is not necessary here to review the many ways in which the stations and the networks have cooperated with all government agencies. Details of these activities are well known to all broadcasters. Our activities have met with approval of the public and with sincere appreciation on the part of all government agencies. I believe broadcasters have taken a part in the national war activities which has already done much to enhance the position of radio in public opinion. The coming months will undoubtedly bring many changes in our normal life, many problems unknown and unthought of today. All these changes will offer a new opportunity to broadcasters to continue their record of wholehearted, enthusiastic cooperation in all phases of the national war program.

Music Copyright

This past year saw the conclusion of the present phase of the music copyright controversy. A competitive market of music has been created and the door of opportunity to the young author and composer has been opened. The complete solution of this problem will require our continued attention over a period of years but we have the satisfaction of knowing that we have finally solved a problem which has vexed broadcasters for two decades. Not only will the broadcasters save a sum conservatively estimated at over $40,000,000 during the term of the present contract, but the fact that the industry was able to unite and intelligently solve this problem will pay additional dividends in the future. The broadcasters by enthusiastically signing the new eight year contracts with BMI have shown a determination to maintain a competitive market of music and to continue their interest in the music question so as to reach a permanent solution. This augurs well for the future.

Taxation

Last summer, the House Ways and Means Committee recommended a tax on the gross receipts of broadcasting, amounting to a gross of $12,500,000 and a net tax of $4,500,000. Broadcasters are now paying heavy taxes and are willing to pay their just proportion of the necessarily heavy taxes needed to pay the cost of this war. But they are opposed to any tax such as the one proposed which unfairly discriminates against radio. We immediately registered a protest against the tax, and, thanks to the splendid cooperation received from the entire industry, the tax was finally eliminated from the law.

Again this year at recent hearings, the proposal of the same tax was made and again the NAB has appeared in opposition. We have every reason to believe we shall be successful. This is but one more problem to which the NAB shall continue to give its undivided attention.

Legislation

It long has been the opinion of many that a revision of the present Communications Act was badly needed. Shortly after the close of the convention last year, the Senate Interstate Commerce Committee held hearings on a resolution introduced by Senator Wallace White of Maine. Recently the House Interstate and Foreign Commerce Committee has commenced hearings on the Sanders Bill. Your Association has taken an active part in both hearings and it is hoped that prior to next annual convention, we shall be able to report success in our efforts to secure a needed revision to the Communications Act.

Self Regulation

The past year saw the industry once again take the leadership in solving some of our problems by means of self regulation. Not only did the Code Committee continue actively the work of interpreting the Code, but with the coming of the war, new principles were outlined for the handling of war news which met with the approval of both the industry and the public. Realizing that government as a rule undertakes no services or regulation unless private agencies have proved themselves incapable or unwilling, the industry has wisely adopted a policy to continue its activities in the field of self regulation. New phases of the war will undoubtedly bring new problems. I am sure with the continued cooperation of the broadcasters we shall solve them.

Membership, District Meetings

In spite of the unsettled times, our members have remained loyal, are continuously making greater use of the services of our Staff, and are taking a more active part in the work of the Association.

The series of District meetings held last fall was extremely successful. The attendance was unusually good and we were also able to hold joint meetings with many civic clubs throughout the country which afforded opportunities to tell the story of radio in a way which we believe will accomplish much good.

We also continued our cooperation with the ANA, the AAAA, the RMA, the AFA, the NRDGA and many other organizations. Mrs. Dorothy Lewis again made an extensive tour with very excellent results. Assistance was given to many conferences such as the Ohio State Broadcast Engineering Conference, the Institute for Education by Radio, and regional conferences in many parts of the country. Closer working cooperation was established with the Canadian Broadcasters Association to our mutual advantage and every effort was made to be of assistance to every group interested in any way in broadcasting.

To the members of the Board of Directors, of the Executive Committee and to those who served on the various NAB Committees, we wish to extend our sincere appreciation for the time so generously given to the work of the Association. It would have been impossible to carry on our work without the assistance which has been so graciously and generously given the Association by the entire membership.

Public Relations

Over a year ago, we lent to the War Department our Director of Public Relations, Edward M. Kirby. His duties as Chief of the Radio Section, Bureau of Public Relations, War Department, have prevented him from continuing the excellent work which he had inaugurated while with the NAB. We are happy that Mr. Kirby's work with the War Department has merited a commission as a Lieutenant Colonel and regret that he will not be available to carry on our public relations activities. We propose to develop the activities of this department. Complete plans for a well-rounded public relations program will be announced in the near future.

The Staff

The past year has seen increasing demands made upon the members of the Staff, especially in connection with war activities. Various members of the Staff have served on committees of the Defense Communications Board, of the Office of Facts and Figures, the Coordinator of Information, and other Government agencies. All members of the Staff have given liberally of their time in assisting all Government departments. Detailed information concerning the activities of the Staff members is contained in the reports of the various departments. I commend these reports to your careful study.

Conclusion

What of the future? Radio today stands higher in public esteem than ever before. Its record of constructive, aggressive cooperation in the Government's war program is one of which we can all be proud. We have progressed far enough to have tested our policies and they have proved to be wise and sound and a credit to the experience, the ability and the patriotism of the industry. Undoubtedly, there are difficult days ahead, but we are sure that radio will continue as a privately owned, competitively operated business, and will emerge from the war with a record of public service which will bring out in clearer outline than ever before the advantages of the American System of Broadcasting and the importance to a nation of a radio which is free and untrammelled, subject only to the will of the people it serves.

Respectfully submitted,

Neville Miller,
President.

May 1, 1942.

Secretary-Treasurer's Office

The twelve months which have intervened since the St. Louis convention have brought to the administrative staff at NAB some very trying problems. That period has been crowded with unusual developments, especially in the field of radio and the war effort. The administrative staff has been kept extremely busy in maintaining normal services to its members and in discharging the responsibility incident to the developments.

Almost immediately upon return from St. Louis, NAB plunged into an extended series of hearings before the Senate Interstate Commerce Committee on the White Resolution calling for an investigation of the radio industry and the administration of the FCC Act, with the view to amendment. This action was taken pursuant to a resolution adopted by the membership directing that everything possible be done to bring about the passage of this resolution. This work with the Senate Interstate Commerce Committee took us well into the summer months.

On the heels of this came the problems incident to the final negotiation with ASCAP, culminating in the fall with the approval by the networks of the contracts and their submission to the industry for consideration.

Throughout the year the staff had been called upon for ever expanding work connected with the national defense effort. With Pearl Harbor our work was greatly increased when we undertook the task of acting as liaison between the various agencies of government directly responsible for the conduct of the war and all of the radio industry. Within 24 hours after war was declared there was compiled and sent to every broadcaster in the country the first of our War Service Bulletins. Since then 11 of these Bulletins have been issued. They dealt for the most part with the handling of war news and the dangers incident to certain types of programs which offered an opening for propaganda.

The soundness of the recommendations made by NAB were proved when some six weeks after the war broke the Office of Censorship was created. It was found that very little by way of additional suggestions beyond those made in the NAB War Bulletins was required. The broadcasting industry wholeheartedly cooperated with the result that the transition to a wartime basis was accomplished with very little friction or disturbance.

Throughout the year the staff, in addition to carrying on this tremendously increased burden, has continued to serve the membership. It has replied to a vast number of inquiries; attended a total of 24 District meetings held throughout the year; greatly expanded its Broadcast Advertising activities, as is shown in the report of that Department; watched and assisted very materially in labor problems; participated in hearings on proposed legislation; conducted normal research activity in addition to that incident to war requirements; performed a great deal of service for individual stations in connection with the Selective Service Act, as will be shown by the report of the Legal Department; set up training courses for technicians as will be shown by the Promotion Department report.

HEADQUARTERS PERSONNEL

The increased activities at NAB have placed a burden on the staff and the clerical force, but this additional work has been handled without any increase in the number of employees, in fact, with a decrease. The list of employees below will show that as compared with the 29 full and part-time employees listed in our annual report, we had only 23 employees on May 1, 1942.

We have been working in a disturbed atmosphere here in Washington. The demand for clerical work by the government departments has made it extremely difficult to hold our present staff together and to secure replacements. The staff has been most loyal and cooperative and many of them have foregone government jobs at better remuneration in order to stick to their work here at NAB. For this we are extremely grateful.

There have been three changes in the NAB staff during the year. J. Robert Myers, Assistant Director of Research, resigned on February 1st to become Chief Statistician for NBC. Edward M. Kirby, NAB Director of Public Relations who has for the past fourteen months been on loan to the War Department, resigned effective May 1st to accept a commission as Lieutenant Colonel in charge of the Radio Branch of the Department of Public Relations of the War Department. Lynn C. Smeby, NAB Director of Engineering, resigned to become Civilian Consultant in Air Communications for the Signal Corps. Up to the time of writing this report, no replacements for these three positions had been made.

A complete roster of NAB Headquarters employees follows:

Staff Members

Neville Miller, President
C. E. Arney, Jr., Assistant to the President
Joseph L. Miller, Director of Labor Relations
Frank E. Pellegrin, Director of Broadcast Advertising
Paul F. Peter, Director of Research
Russell P. Place, Counsel

Everett E. Revercomb, Auditor
Helen H. Schaefer, Research Assistant
Arthur Stringer, Director of Circulation and Promotion and Secretary NAB War Committee

Secretarial, Clerical and Part Time

Charles H. Dodge, Clerk
Kathryn B. Donahue, Bookkeeper
Geraldine M. Finnegan, Stenographer
Jane A. Fry, Stenographer
Ethel M. John, Switchboard Operator
Loretta J. Kealy, Stenographer
Lynne M. Lamm, Reporter
Mary G. Lucas, File Clerk
Hester M. Love, Stenographer
George A. Many, Clerk
Helen J. Morris, Stenographer
Ella P. Nelson, Secretary
Mildred M. Ramsay, Secretary
George C. Stuart, Clerk

MEMBERSHIP

We are pleased to report that the membership of the National Association of Broadcasters as of May 1, 1942, stands at 525, composed of 506 active members and 19 associate members. Included in the active members are 6 FM stations. The following tables show detailed analyses of the membership:

NAB Membership by Dues Classification

	NAB Members	
Class	*May 1, 1941*	*May 1, 1942*
A	108	94
B	82	67
C	76	84
D	54	47
E	49	58
F	27	28
G	21	28
H	38	30
I	16	22
J	16	9
K	4	11
L	...	5
M	9	6
N	...	3
O	4	7
P	2	6
Q	2	1
NBC	10	*
CBS	8	*
Associate	21	19
Total	547	525

* M & O Stations now classified separately according to individual station income.

NAB Membership by NAB Districts

	NAB Members	
District	*May 1, 1941*	*May 1, 1942*
1	38	41
2	32	34
3	28	27
4	53	54
5	43	47
6	30	30
7	26	22
8	27	21
9	33	25
10	37	34
11	24	25
12	19	19
13	24	23
14	26	23
15	24	21
16	23	23
17	33	31
FM	6	6
Associate	21	19
Total	547	525

NAB Membership by Network Affiliation

			NAB Members	*Percent Membership*
Total Network Affiliates		537	368	68.5%
BLUE	178		122	68.5%
CBS	124		101	81.5%
MBS	205		119	58.0%
NBC	135		104	77.0%
Less Duplicates *	—105		—78	
Independents		387	131	33.9%
		924	499	54.0%

High Frequency Educational	1
Frequency Modulation (Operating Com.)	4
Frequency Modulation (CP Commercial)	1
Frequency Modulation (Experimental	1
Associate Members	19
Total NAB Membership	525

* Duplicates:

BLUE & MBS	20	13	NAB	Members
BLUE & NBC	57	43	"	"
BLUE-MBS-NBC	9	7	"	"
MBS & CBS	6	5	"	"
MBS & NBC	4	3	"	"

FINANCIAL

The NAB financial records have, as in past years, been audited by independent certified public accountants and a copy of their report has been submitted to each NAB Director. A copy of this report will be gladly sent to any member requesting it.

There is shown below a statement of income and expense for the twelve months ending March 31, 1942.

NATIONAL ASSOCIATION OF BROADCASTERS

Statement of Income and Expenses
For the Period April 1, 1941, to March 31, 1942

Income		
Cash on Hand, April 1, 1941	$ 27,514.32	
(As reported at last convention)		
Receipts during period	350,104.83	
		$377,619.15
Expense		
Annual Convention	14,002.87	
Board of Directors Meetings	8,172.40	
Committee Expenses	7,667.64	
Dues and Publications	1,092.47	
Furniture and Fixtures	586.81	
Legal and Accounting Fees	4,158.11	
Legislative Investigations	50,585.21	
Miscellaneous	10,854.50	
NAB Reports	14,190.08	
NAB-RMA Expenses	8,327.23	
Office Supplies	3,872.10	
Postage	3,964.20	
President's Expenses	1,856.65	
Printing	18,857.71	
Radio Council on Children's Programs	3,290.00	
Rent	8,744.97	
Salaries	126,022.65	
Tabulations	2,741.01	
Taxes	3,276.56	
Tax Fees	11,946.15	
Telephone and Telegraph	6,650.36	
Travel	11,948.50	
		322,808.18
		$ 54,810.97
Add: Accounts Payable, March 31, 1942		5,118.90
Cash on Hand, March 31, 1942		$ 59,929.87

Respectfully submitted,

C. E. Arney, Jr.,
Assistant to the President.

Engineering Department

Since the last Annual Report issued in May, 1941, the engineering activity of NAB has been almost entirely pointed towards the war effort. Fully 80 per cent of the time and effort has been devoted to the solution of wartime broadcasting problems and to the furtherance of the war effort in other directions.

DEFENSE COMMUNICATIONS BOARD

As Neville Miller's alternate and technical adviser on Domestic Broadcasting Committee IV of DCB and the chairman of Subcommittee I thereof, and as alternate on Communications Liaison Committee for Civilian Defense—Committee XII of DCB—much of the time has been taken up in working with these groups on the many and varied problems. In addition, the duties as the broadcasters' priorities representative to the Priorities Liaison Committee—Committee XIII of DCB—has taken much time.

The deliberations of these Committees are confidential and we can only say that we have been one of the "working" members of these Committees and have devoted a great deal of time to matters that have and will accrue to the credit of Domestic Broadcasting.

TECHNICIAN TRAINING PROGRAM

We have served as Mr. Arthur Stringer's right hand man in carrying out the Technician Training Program and have aided in the formation of plans for that project, serving as one of the five members of the group led by Professor W. L. Everitt of Ohio State in making up the course outline. This course outline was subsequently officially okayed and adopted by the Signal Corps.

PRIORITIES

During the past year we have been actively engaged in aiding the industry to secure sufficient repair and maintenance materials and were partly instrumental in obtaining the Defense Priority Rating of A-10 for the industry.

BROADCAST ENGINEERING CONFERENCE

Cooperating with Professor W. L. Everitt material aid was rendered in staging the Fifth Ohio State Broadcast Engineering Conference. Except for one session, the Conference was entirely devoted to wartime subjects.

RECORDING STANDARDS

The work of the Recording and Reproducing Standards Committee progressed rapidly up to wartime. Sixteen of the most important items were standardized. These sixteen standards were officially adopted by the NAB Board of Directors.

The Committee is still working, however, at a much slower rate. It is expected that a number of additional standards will be formulated by about June. It is expected that the Committee will then suspend deliberation for the duration of the war.

ENGINEERING HANDBOOK

Revision material for the handbook was prepared and distributed to the membership in January.

GENERAL

Many individual members have been aided in solving their individual problems.

In carrying out engineering work in connection with the war effort, a host of the industry's engineers have given the finest of cooperation and aid. This we gratefully acknowledge.

Joint meetings of the Executive Engineering and the Engineering Committees were held in St. Louis on May 12, 1941; in Detroit, June 26; New York City, October 23, 1941, and Columbus, Ohio, February 23, 1942. The June 26 and October 23 meetings were with the Recording and Reproducing Standards Committee.

EXECUTIVE ENGINEERING COMMITTEE
1941-42

Paul A. Loyet—Chairman, WHO
Paul deMars—Yankee Network
Porter Houston—WCBM
E. K. Cohan—CBS
O. B. Hanson—NBC
Lynne C. Smeby—NAB—ex-officio

ENGINEERING COMMITTEE
1941-42

Paul A. Loyet—Chairman, WHO
Franklin M. Doolittle—WDRC
John V. L. Hogan—WQXR
James Schultz—WCAE
Scott Helt—WIS
John C. Bell—WBRC
J. H. DeWitt—WSM
R. Morris Pierce—WGAR
Walter Hoffman—WWJ
Thomas L. Rowe—WLS
J. M. Hetland—WDAY
Karl Troeglen—WIBW
W. G. Egerton—KTSA
Eugene G. Pack—KSL
Royal V. Howard—KSFO
L. H. Bowman—KNX
James B. Hatfield—KIRO
E. K. Cohan—CBS
O. B. Hanson—NBC
L. C. Smeby—NAB—ex-officio

Respectfully submitted,
LYNNE C. SMEBY,
Director of Engineering.

Legal Department

Outstanding among the problems dealt with by the NAB this past year were the bills introduced in Congress to amend the Communications Act of 1934 and the two attempts by the International Allied Printing Trades Council to saddle broadcasters with a discriminatory time-sales tax. Also of paramount importance to broadcasters were the successful fights waged by the NAB to secure nationwide daylight-saving time and to retain the average-earnings basis for computing the Excess Profits Tax. Still pending on the Congressional front is Executive Resolution "E" for adherence to the International Copyright Convention; although vigorously opposed by the NAB and all others interested in copyright, the State Department is persistently advocating adherence to the Convention and the problem is still before the industry. Protracted negotiations with ASCAP resulted last fall in local station contracts immeasurably more advantageous to stations than those offered by ASCAP in the spring. A host of knotty problems grew out of the National Defense program and later the war effort. Highlighted among these were matters involving priorities, selective service and rationing of tires and gasoline. The Code Committee has been faced with many vexing problems having to do with the controversial public issues section of the Code, particularly with reference to the isolationist-interventionist debate that went on prior to Pearl Harbor. Subsequent to the declaration of war the Code Committee promptly tackled the question of the handling of war news. For the NAB Legal Department, as for broadcasters individually, the past year has been crowded with much that was not routine.

PROPOSED AMENDMENT OF COMMUNICATIONS ACT

Properly to report the activities and concerns of the Legal Department for the last NAB year it is desirable to begin with the promulgation by the FCC of the Chain Broadcasting Regulations on May 2, 1941, just prior to the St. Louis Convention. Stemming therefrom were the introduction of a resolution (S. Res. 113) by Senator Wallace White of Maine calling for an investigation by the Senate of the effect of the regulations and for amendment of the Communications Act, and the introduction of bills by Representative Sanders of Louisiana (H. R. 5497) and Senator White (S. 1806) to amend the Communications Act.

At St. Louis, the NAB membership voted unanimously to support the White resolution and seek amendment of the Communications Act of 1934. Pursuant to that vote Neville Miller, President, testified before the Senate Interstate Commerce Committee in favor of adoption of the resolution. Hearings, which were well attended by broadcasters, lasted nearly three weeks and were recessed on June 20 subject to the call of the Chair. They have not been resumed. Hearings on Senator White's bill have not been scheduled.

Early in September, in pursuance of the mandate of the resolution adopted by the Convention, NAB sought hearings on the Sanders bill in the House. An analysis of both the Sanders and White bills was prepared and promptly circulated to the membership. The House Committee on Interstate and Foreign Commerce scheduled hearings on the Sanders bill to begin April 14, 1942. First witnesses to testify were the representatives of the Federal Communications Bar Association.

They were followed by the appearance of Mr. Miller who testified in support of the proposed changes in administrative organization, procedure and judicial review as advocated by the Federal Communications Bar Association. In addition, NAB proposed three amendments: (1) to provide for declaratory rulings on administrative action; (2) to prohibit the imposition by the Commission of unauthorized penalties and sanctions; and (3) to enact the language of the Sanders Brothers case prohibiting government supervisory control of programs, of business management and of policy of radio stations.

The hearings were recessed until May 5 when Mr. Miller is expected to return to the stand for questioning by Representative Sanders, following which NBC and CBS will present their testimony. It is expected that the hearings will be in recess during the NAB Convention in Cleveland.

On February 2, 1942, Representative Cox (D-Ga.) introduced a resolution (H. Res. 426) calling for an investigation of the FCC by a select committee of the House. Hearings before the Rules Committee in March, at which Chairman Fly testified, were suspended after two days.

RADIO TIME-SALES TAX

On July 23, 1941, the House Ways and Means Committee wrote into the revenue bill an unjust and discriminatory provision to tax radio time sales, imposing an estimated net annual burden on the industry of about $4,500,000. The provision was backed by the International Allied Printing Trades Council. It passed the House and was vigorously opposed by the NAB at the hearings on the bill before the Senate Finance Committee which opened on August 8. Ellsworth C. Alvord, NAB special tax counsel, appeared in opposition to the tax in behalf of NAB. Important elements of the advertising industry and labor supported the NAB position. On August 27, Chairman George (D-Ga.) announced that the Senate Finance Committee had eliminated the radio time-sales tax from the bill. The provision was finally dropped from the bill in conference.

Upon announcing the deletion of the radio tax Senator George stated that the Committee had instructed the Treasury and a subcommittee to study a possible franchise tax. Such a tax has not been proposed as yet.

In April, 1942, again advocating a discriminatory tax on radio time sales, Mr. John B. Haggerty, representing the International Allied Printing Trades Council, appeared before the Ways and Means Committee. On April 17, Mr. Alvord appeared for NAB in opposition. The IBEW supported the NAB by filing a statement in opposition to the tax. As of April 30, 1942, the Ways and Means Committee was still in Executive Session considering the revenue bill of 1942.

EXCESS PROFITS TAX

Following appearance of J. Robert Myers, NAB Assistant Director of Research, who testified in favor of retaining the average-earnings basis for computing the excess profits tax, the House Ways and Means Committee on June 4, 1941, rejected the Treasury Department's request that the average-earnings basis be eliminated. We are glad to report that the Treasury, in its 1942 recommendations, did not recommend the elimination of the average-earnings basis.

TERMINATION OF GOVERNMENT CONTROL

In late December, 1941, counsel appeared before the Senate Committee on Interstate Commerce on H. R. 6231 and advocated amendment of Section 606 of the Communications Act to require that radio facilities, if taken over by the government, be returned six months after the close of the war as provided in the bill under consideration for the taking over of wire communications. Although this amendment would have treated radio exactly the same as wire facilities were treated in the bill as it passed the House, and was later enacted, Chairman Fly opposed the suggestion in the interest of saving time and the NAB's suggestions were not adopted.

INTERNATIONAL COPYRIGHT CONVENTION

There is still pending before the Senate of the United States Executive Resolution "E," the adoption of which by the Senate would result in making the United States a party to the International Copyright Convention without prior revision of our own law. The adoption of this resolution has been consistently opposed by the NAB and entry into the Convention during war times would have more than normally disastrous results to broadcasting because a very large volume of the great European musical works of the past fifty years, now in the public domain, would thereby become wholly unavailable for broadcasting use. To the astonishment of your Association, the Department of State, even since Pearl Harbor, has continued to press for the adoption of this resolution which would, among other things, put the United States into a new treaty relationship with Germany and with Japan. The Department of State has also advocated amendments to the Buenos Aires Convention which governs our relationships with many of the South American countries and the effect of these amendments, if adopted, would be, among other things, to extend copyright to South American phonograph recordings thus making them unavailable for broadcasting use. These matters are at present the subject matter of discussion between subcommittees of the American Bar Association, and the views of the NAB have been presented and are still being presented throughout these conferences with the result that no adverse action has up to this time at least been taken and the likelihood of preventing such action appears great.

LIQUOR ADVERTISING

In March Representative Rankin (D-Miss.) introduced a bill (H. R. 6785) to prohibit the advertising of alcoholic beverages over the radio. Now pending before the House Committee on Interstate and Foreign Commerce, no hearings have been scheduled. Like the Johnson Bill (S. 517) for the same purpose, reintroduced at this session, it will be opposed.

STATE LEGISLATION

In the closing days of the 1941 session of the Florida Legislature a bill was enacted purporting to abolish any asserted common law rights to collect royalties on the recorded performances embodied in phonograph records and electrical transcriptions once they are sold in commerce for use in Florida. Florida also amended its libel law by giving a radio station the right to require the submission of written script 24 hours before the time of broadcast; such submission of the script frees the station from liability for any libelous or slanderous utterances broadcast which were not contained in the script.

In 1942 Legislatures of eight states met in regular session. In Kentucky two bills to ban the sale of alcoholic beverages advertised over the radio died in their respective branches. NAB cooperated with Kentucky broadcasters in their efforts to defeat these bills. Mississippi enacted an anti-sabotage law with particular reference to communications facilities. NAB Legislative Contacts in the various states have been most cooperative at all times.

In New York the activities of the New York State Legislative Committee led to the passage of two measures beneficial to radio. An NAB-sponsored bill, permitting a corporation engaged in broadcasting to prohibit or restrict the transferability of its stock to aliens, is now on the Governor's desk. A new child labor law was amended, at the request of the NAB, to permit children under 16 to participate in broadcasting for not more than two hours a week where the performance is of a non-professional character and occurs outside school hours, and to authorize the granting of permission by the proper authorities for professional appearances of children in series of radio performances.

Nationwide daylight-saving time which NAB strenuously advocated, went into effect on February 9 as "War Time." This spring bills were introduced in New York, New Jersey and Pennsylvania to advance War Time an extra hour in those states. NAB voiced vigorous opposition to these measures in behalf of the industry. The New York and Pennsylvania bills were defeated. and Governor Edison has publicly stated that he will veto the New Jersey bill if passed.

LITIGATION

Notable in the field of litigation were the decisions of the United States Supreme Court on May 26, 1941, sustaining the anti-monopoly provisions of the so-called anti-ASCAP laws on the statute books of Florida and Nebraska.

The power of the FCC to issue subpoenas in an investigation seeking information applicable to the legislative standards set up in the Communications Act was upheld on January 26, 1942, by the United States Court of Appeals for the District of Columbia in the Stahlman case. The court negatived the Commission's authority to require witnesses whom it summons to bare their records, relevant or irrelevant, in the hope that something will turn up, or to invade the privacy protected by the Fourth Amendment. The court flatly stated that the Commission has no power to ban ownership of radio stations by newspapers as such.

On February 20, 1942, the United States District Court for the Southern District of New York ruled against the networks in their suit against the Government. The decision was not on the merits of the case—the powers of the FCC—but on the question of the court's jurisdiction. The court, however, stayed operation of the network regulations, and on March 9, CBS and NBC appealed to the United States Supreme Court. Argument of the cases began on April 30.

The Supreme Court on April 6, 1942, affirmed the power of the United States Court of Appeals for the District of Columbia to stay orders of the FCC pending determination of appeals to that court from Commission orders. The question was raised on certification by a divided Court of Appeals after Scripps-Howard Radio, Inc., licensee of Station WCOP, had appealed from the Commission's denial of its petition to vacate an order granting, without hearing, Station WCOL a CP for change of frequency and increase of power.

ASCAP

During the summer and fall of 1941, negotiations with ASCAP were in progress. NAB was instrumental in securing local station contracts much more advantageous to stations than those offered by ASCAP immediately prior to the St. Louis Convention.

NEWSPAPER-RADIO HEARINGS

On July 23, 1941, the FCC opened hearings on Orders No. 79 and 79A to investigate whether newspapers should be licensed to operate radio stations. The Newspaper-Radio Committee, which had been organized in April, 1941, for the purpose of presenting to the Commission a point of view representative of newspapers interested in the broadcasting industry, retained Judge Thomas Thacher and Sydney M. Kaye as counsel. The protracted hearings have not as yet been concluded.

CODE COMMITTEE

Right up until Pearl Harbor, considerable time was required by Counsel, as Secretary of the Code Compliance Committee, in assisting in the interpretation of the controversial public issues section of the Code, chiefly in connection with the isolationist-interventionist issue. Since the first of the year the Code Committee has met twice; notable in its work was the promulgation of recommendations with reference to news broadcasts in war time, made in collaboration with other elements of the industry and government officials.

MISCELLANEOUS

Throughout the year national defense and war have been uppermost in the minds of the NAB staff in their thinking and work. The Legal Department has maintained close contact with Selective Service Headquarters in an effort to assist stations to secure temporary deferment of engineers subject to the draft wherever it would be difficult, if not impossible, to replace them. Close contact with the WPB on priorities and the OPA on tire regulations has been maintained.

Correspondence with stations and their attorneys on numerous matters, assistance to staff and general office work have consumed considerable time.

Respectfully submitted,

Russell P. Place,
Counsel.

May 1, 1942.

Labor Relations Department

The broadcasting industry's progressive labor policy has successfully stood the test of another year.

It has been a difficult year in the field of labor relations. With our country preparing for war, and at war, everyone has been called upon to make sacrifices. When sacrifice is the order of the day, everyone tends to think that he is doing his share, or more—but how about the other fellow? That is human. Labor relations are human relations. Hence, it could be expected that management, generally, would question whether labor has done its share. On the other hand, labor has questioned whether management has done its share.

Skyrocketing taxes and cost of living, an increasing shortage of labor, and the necessity for uninterrupted production were enough factors in themselves to make a difficult labor relations problem for the country in 1941-42. To this was added a heated debate on the so-called "social gains" of the past decade, and on the nature of the proper relationship between trade unions and employers. The debate has been heated and endless.

National labor policy, at the moment, seems to be about as follows:

1. Labor voluntarily has surrendered the right to strike, in the interest of uninterrupted production for war.
2. All issues unsettled by direct negotiation must be arbitrated.
3. The relationship between management and unions ("closed shop") and wage rates are among the issues subject to arbitration, although wages are not to be increased unless they are "substandard" or make for "inequalities."
4. The "social gains" remain.

During the heat of all the debate on these issues, the broadcasting industry, by and large, has had another year of peaceful relationship with labor. Strikes have been few. Mutual understanding of each other's problems has increased. As the industry's income has increased, wages and salaries have risen steadily.

The NAB again proposes to continue its current labor policy through the year to come. Members will be kept advised of trends and developments in the field of labor relations. They will be informed of any changes in labor laws that affect their operations. They may call upon the labor relations director for direct assistance with their individual or collective labor problems. They will find available at the NAB a growing fund of information useful in collective bargaining. The labor relations director will continue his efforts to preserve and foster the general goodwill between the industry and the labor movement, and will count on the continued assistance of the entire membership in this work.

Following is a topical review of labor developments related to the industry since the St. Louis convention in May, 1941.

RADIO'S PAYROLL

The latest Federal Communications Commission report, for the week of October 13, 1940, shows that the broadcasting industry paid its 19,326 full time employees an average of $41.50. This figure compared with $41.08 for the week of October 15, 1939. Executives were not included. Nor do these figures include the highly paid program stars and directors whose fees or salaries come from advertisers or advertising agencies.

The salary trend in radio has been steadily upward since the Fall of 1940. The $41.50 average noted above probably would be nearly 10 per cent higher today—near the top among the nation's industries.

STRIKES

There has been only one actual strike since Pearl Harbor in the entire broadcasting industry. It lasted less than two hours. Technicians at a mid-western station were involved. Wages was the issue.

WAGNER ACT

Generally speaking, the broadcasting industry's record for compliance with the Wagner Act continues to be much better than average. As the requirements of the Act and the technique of collective bargaining are better understood, violations will disappear.

The Labor Relations Board has not found a single station guilty of any violations during the past year, although two examiners reports finding violation are now before the Board for consideration. In both cases the stations were alleged to have interfered with their technicians' right to organize. Neither of these stations belongs to the NAB. We point this out, not to insinuate that membership in the NAB per se makes a station simon pure as far as its labor relations are concerned. But we do wish to point out that consultation with the NAB Labor Relations Department has saved many a station from getting into "Labor Board trouble."

FREEDOM OF SPEECH

One of the questions frequently asked by broadcasters concerns the extent to which they can discuss labor unions with their employees. The Supreme Court held in *NLRB vs. Virginia Electric and Power Co.* (December 22, 1941) that an employer could *discuss* unions all he pleased, as long as he did not accompany his discussion with any *action* which constituted the discrimination, coercion or intimidation forbidden by the Wagner Act.

WAGE AND HOUR ACT

Soon after we went into the war, a new campaign to scrap, or drastically amend, the Wage and Hour Act began. One of radio's best known news commentators was among the first to raise the hue and cry. As a result, your director had to spend considerable time explaining to both labor unions and government officials that the commentator's views were not necessarily those of the broadcasting industry.

Those who wanted to have the Act changed based their arguments largely on the "restrictions" which the Act places on the length of time employees may work. Those opposed to any change argued that there was no restriction on the work week, only a requirement for premium payments after 40 hours of work each week.

When President Roosevelt made his wage stabilization radio talk, Congress decided to drop discussion of amendment, at least for the time being.

The drive for repeal or drastic revision of the Act has seriously hurt the chances for any moderate amendments for some time. At some future time the NAB might well consider reviving a proposal, once suggested by the House Labor Committee, for exemption of all employees making $200 or more a month.

Late in the Spring, the *Belo Case* finally was argued before the Supreme Court. The employer in that case made individual contracts with his employees, specifying their "regular hourly rate" and overtime rate, then guaranteeing them a minimum weekly overall salary, to be paid whether or not their regular time plus overtime equalled the amount of that overall salary. The "regular hourly rate" was well above the 30-cent minimum required by the Act.

The Wage and Hour Division of the U. S. Labor Department contended that this constituted evasion of the Act. Any employer who proposed to hire an employee at more than the minimum wage for a week's work could then hire the employee technically at the minimum wage with a guarantee of enough overtime to make up the difference. This would have the effect of virtually eliminating any penalty on overtime. Nevertheless, both a federal district court and a circuit court of appeals upheld the company's position.

Application of the Act to the broadcasting industry continues to raise numerous questions. A good share of your director's time is devoted to getting the answers. Precedent and previous experience provides some of these. Others must be obtained from the proper authorities. Unfortunately, crowded conditions in Washington this year made it necessary for the government to transfer the Wage and Hour Division to New York City. This has made it a little more difficult for your director to obtain information promptly.

"The Wage and Hour Act: Its Application to the Broadcasting Industry," first published in June, 1940, and revised in July, 1941, continues to be one of the NAB's most popular publications within the industry. Another revision this year is contemplated.

Talent fees constitute the only remaining problem of outstanding importance to the industry under the Wage and Hour Act as it stands. The Wage and Hour Division contends that *all* talent fees should be added to a staff announcer's salary in determining overtime rates. The NAB contends that, in many cases, the broadcasting station is not the employer when talent fees are paid to announcers. Just recently, the Wage and Hour Administrator agreed to review this entire matter on the basis of facts to be supplied by the NAB.

LABOR ON THE AIR

Labor on the air has become almost altogether a local problem. Both the American Federation of Labor and the Congress of Industrial Organizations express themselves as quite satisfied with the national coverage situation. Their leaders made a total of 74 appearances on national network programs in 1941. And they now have a regular weekly program on NBC.

Some individual stations seem to be reluctant, however, to allow *any* labor leader *ever* to discuss local labor problems on the air. Naturally, labor leaders sometimes want more time than is available in keeping with proper program balance. But to bar labor altogether from the air locally violates the spirit of the NAB Code of Program Standards.

We believe a great majority of stations are giving labor a fair share of time locally. Regular local labor programs are steadily increasing in number.

For instance, Station WGFB at Evansville, Indiana, has just started a new labor series. We reprint the following announcement from the local Evansville labor paper to show how a local labor program can be worked out apparently to the satisfaction of all concerned.

"Exclusively labor news for a five-minute period, Monday through Saturday at 6:25 p. m., will go on the air over radio station WGBF, beginning Monday, May 4, according to an announcement made by Clarence Leich, manager of Evansville-on-the-Air, Inc. The program will go on as a public service feature of the station and was worked out through a series of conferences between the management and representatives of the AFL, CIO and Railroad Brotherhood Unions.

"Labor news of a national scope will be provided the radio station through 'Labor,' the official Railroad Brotherhood's weekly publication; the A. F. of L. News Service, the C. I. O. Union News Service, and the Federated Press. Local labor news will be provided through officials and press representatives of city central organizations and local unions.

"The policy agreed upon by the management and union representatives to govern the broadcast as outlined by Mr. Leich, representing station WGBF, is as follows:

"The broadcast is not to be an instrument of propaganda either for or against labor generally, nor is it to be used either directly or indirectly to advance or retard the cause of any faction or factions in organized labor. It is our desire to have factual news obtained from reliable news sources, both nationally and locally.

"We will expect any one providing news for the broadcast to exercise great care to give us exact information and to be in a position to substantiate any claims made. It will be our purpose to state the exact issue in any controversy handled in the broadcast.

"It should be understood that any news source must be judged on the basis of day to day reliability, and when it is found to be inaccurate or unreliable, it will be discontinued.

"It should be understood that if labor wants the facts presented when it proves to be advantageous to labor, it must be willing to give the facts in instances where they prove to be unfavorable. Labor should be prepared to accept full responsibility for any statements made by officers or other persons authorized to release publicity.

"The committee urges all bona fide labor unions in Evansville to give the broadcast and those handling it their fullest cooperation and to advise their members to make it a point to listen to radio station WGBF Monday through Saturday at 6:25 p. m."

The services of the NAB Labor Relations Director are always available to any station which is having difficulty about local labor programs.

"MAKE WORK" PRACTICES

The spotlight on efforts to outlaw the "make work" practices of certain labor unions has shifted from Thurman Arnold's offices in the Justice Department to Congress.

The Supreme Court, in the New York teamsters' case, gave Mr. Arnold the old one-two. Hard hit by the court's previous rulings that labor unions could not be prosecuted for forcing unnecessary employment under the Sherman Act, Mr. Arnold went after the New York teamsters under the Anti-Racketeering Act. Nothing doing, said the Court.

The Court's opinion revived congressional discussion of enactment of legislation specifically to forbid labor unions from forcing unnecessary employment. Hearings on the Walter and Monroney Bills were started by the House Judiciary Committee.

It appears probable at this time, however, that neither of these bills will be enacted for some time to come. Both the American Federation of Labor and the Congress of Industrial Organizations are opposed to them.

How this situation will affect the relationship of the broadcasting industry and the American Federation of Musicians remains to be seen.

WSIX CASE

Station WSIX, Nashville, lost its affiliation with the Mutual Broadcasting System this spring after the station and the American Federation of Musicians were unable to come to terms on the amount of money the station should spend for staff musicians.

When efforts to arrange a compromise failed, the A. F. of M. notified MBS that the station must be removed from the network, or the musicians would strike both sustaining and commercial musical programs on the network. MBS stopped service to WSIX.

TIME SALES TAX

Twice during the past year, organized labor has come to the broadcasting industry's defense when the industry was threatened with discriminatory tax legislation in Congress. There is no better evidence of labor's high regard for the industry's progressive labor policy.

Both the American Federation of Labor and the Congress of Industrial Organizations assisted the NAB last summer in killing the time sales tax proposed by the printing trades unions. William Hushing, legislative representative of the A. F. of L., appeared personally before the Senate Finance Committee to oppose the tax.

Those individual unions most directly interested in radio likewise contributed invaluable assistance. These were the International Brotherhood of Electrical Workers, the American Federation of Radio Artists and the American Federation of Musicians.

These same unions renewed their support of the industry's position when the printing trades unions renewed their request for the penalty tax on radio this spring.

SOCIAL SECURITY

Of importance to the industry is the *Griff Williams Case* soon to be appealed to the Supreme Court by the American Federation of Musicians. A Circuit Court of Appeals held that the leader of an orchestra, under certain circumstances, and not the "house," was responsible for payment of social security taxes for the orchestra members.

CONTRACT POOL

The Labor Relations Department maintains a pool of labor contracts, information from which is available to members for their use in collective bargaining. Those stations which have made use of this information have found it to be invaluable. Unfortunately it is not as large as it should be. This situation should be remedied during the coming year.

COST OF LIVING

Likewise invaluable in labor negotiations are up-to-date cost of living figures. During the past year we have added the data compiled monthly by the National Industrial Conference Board to the U. S. Department of Labor statistics.

PUBLICATIONS

During the past year, your director has revised "The Wage and Hour Act: How It Affects a Broadcasting Station." This popular pamphlet will be revised again during 1942.

A new publication, "Working for Radio," will be available at the Cleveland convention. It likewise will be available to member stations in quantity lots for distribution to boys and girls looking for jobs in radio.

ABTU ABOLISHED

The International Brotherhood of Electrical Workers discontinued its Associated Broadcast Technicians Unit arrangement of organization in the industry on March 1, 1942. All broadcast technician members of the IBEW, except on the West Coast, are now in local unions composed exclusively of broadcast men. These local unions are supervised directly from the international office of IBEW in Washington. On May 1, 1942, there were 39 such locals.

CONCLUSION

Not only the leaders of organized labor but also government officials dealing with labor problems have highly commended the broadcasting industry's labor policy.

A few excerpts from comments on your director's 1941 report may prove interesting.

William Green, president, the American Federation of Labor—

"You deserve great credit for the skillful way in which you have handled difficult labor situations over a long period of time. I have been very happy over the fact that a fine degree of cooperation and a splendid reciprocal relationship has existed between management and labor in the radio broadcasting industry."

James B. Carey, secretary, Congress of Industrial Organizations—

"It seems you have done a splendid job . . ."

L. Metcalfe Walling, Wage and Hour Administrator—

"I think your record is almost unique among industries where controversy is more to be expected than otherwise because of the very nature of the case."

Daniel W. Tracy, Assistant Secretary of Labor—

"'A good job well done.'"

Dozens of others of a similar nature were received. For these, your director must thank not only the writers, but also the entire broadcasting industry for its wholehearted cooperation.

Respectfully submitted,

Joseph L. Miller,
Director of Labor Relations.

May 1, 1942.

Research Department

The NAB Research Department reports material progress in its work since the St. Louis Convention, held in May, 1941. At convention time last year, the personnel of the department, in addition to the director, consisted of two assistants, Mr. J. Robert Myers and Mrs. Helen H. Schaefer, a secretary and six clerical employees. A number of personnel changes have occurred since that time. Mr. J. Robert Myers resigned February 1st to accept a position as Chief Statistician at the National Broadcasting Company. The position vacated by Mr. Myers has not been filled. Upon the resignation of the secretary, Miss Loretta J. Kealy, formerly with Radio Station KOIL in Omaha, Nebraska, was engaged to fill that office. There was a large turnover in the clerical force, due to the employment situation in Washington wherein government salary offers have been consistently higher than those of the Association.

Effective May 1, 1942, the clerical force was released coincident with discontinuance of the "Broadcast Advertising Record." At the March 19th meeting of the Board of Directors, the Board Finance Committee included in its recommendation for reductions in the proposed 1942 budget, the elimination of the "Broadcast Advertising Record." The Finance Committee was careful to point out that its action in no way questioned the value of the "Broadcast Advertising Record" and recommended dropping the appropriation for its continuance after consulting with the Research Department as to the practicability of allowing some outside agency to continue its operation. The Board approved the recommendation of its Finance Committee.

During the past year, most of the time of the Research Department in man hours was devoted to the "Broadcast Advertising Record." Mrs. Helen H. Schaefer was in active charge with the force of three typists and three clerks to handle the work.

BROADCAST ADVERTISING RECORD

At convention time last year, the name "Broadcasting Advertising Record" was just being announced, and its first issue, for January, 1941, had just been released. Since that time, the Research Department has published thirteen issues, and it is hoped that the fourteenth—March, 1942—will be available at convention time. Cooperation in the "Record" has been good, and the Research Department is indebted to some 212 stations which have been constant cooperators throughout the undertaking. There were 227 stations cooperating in the January, 1941 issue of the "Record." Since that time, the number of stations included in each issue was as follows:

January, 1941	227
February	228
March	242
April	243
May	243
June	243
July	240
August	234
September	231
October	230
November	226
December	220
January, 1942	213
February	212

The decline in the number of cooperators beginning with July was caused, first, by the speed-up in tabulation and printing in an effort to minimize the time lag between the close of the month of report and the issuance of the "Record." In successive months after the July report was released October 17, the August report was released October 21; the September report, November 15; and the October report, December 9, when it was felt that the objective of current reports had been essentially attained. During this period of speed-up, no effort was made to promote the "Broadcasting Advertising Record" in soliciting new station cooperators because the "Record" was then operated on a minimum budget and funds were not available to handle any greatly increased volume in tabulation. As a matter of fact, it was necessary to obtain a deficiency appropriation of approximately $1,500 from the Board of Directors to complete the year, 1941.

Numerous letters from cooperating stations on the subject of "Broadcast Advertising Record" were received during the year, 1941, in which were contained constructive criticism. The suggestions for improvement were reviewed by the NAB Research Committee. This committee is composed as follows:

Roger W. Clipp, Chairman, Station WFIL
John McCormack, Station KWKH
C. Glover DeLaney, Station WTHT
Dr. Frank N. Stanton, Columbia Broadcasting System
Barry T. Rumple, National Broadcasting Company

The Committee also reviewed suggestions by the Department of Broadcast Advertising and the Sales Managers Executive Committee. With this able counsel, it was possible in publishing the January, 1942, "Record" to incorporate several real improvements.

The first of the improvements was a simplification of the report. Previously, the classifications of clients were set up under two major heads, "Retail" and "General." Both of these were eliminated. The concensus was that national spot and local business were of transcending importance in the business of broadcasting, and although the terms, "Retail" and "General," are employed in the newspaper business, their application was not direct enough to be of real value to broadcasters. It was also pointed out that for practical purposes, local business in radio is synonymous with retail business in newspapers, and the same relationship exists between national spot business and general advertising.

The new tabulation provides one consolidated classification of advertising clients' business, which is applied uniformly to local, national spot, regional network and national network advertising. No classifications were omitted in this consolidation, but in some cases, classifications were added to give further detail where experience indicated the need for such. The arrangement in the January, 1942 and subsequent "Records" is Table I for local business, Table II for national spot business, with the breakdown for both into five city size groups. Table III is a consolidation of local, national spot, regional network and national network business.

The second improvement was made in the procedure of stations reporting. Prior to January, the forms used, known as "write-back" forms, listed the previous month's accounts in the same classification order as included in the "Record." The work of the reporting station was merely to correct, by "closing out" those accounts which did not carry over into the current month; listing the number of times broadcast during the month for those accounts which did carry over into the current month. It was pointed out that this procedure rendered a service to stations, but that the work involved in calculating the number of units within each classification of business to be posted in the "Record" each month was a considerable burden on stations. To render this additional service, a procedure was evolved wherein one of the two copies of the write-back form furnished to stations carried the label of the previous month and contained the figure of the number of times each account was broadcast for the month and the total number of units involved. With this simple addition, it is then possible for each station to establish direct comparison with the figures in the "Record" for the average station. Numerous letters have been received from stations expressing approval of both of the improvements.

The Research Department has been working with the "Record" figures, attempting to evolve a procedure for projecting industry total estimates. It is recognized that the stations cooperating do not constitute a representative sample. Attempts have been made to select from those stations a set of 85 which would agree with the criteria set up by Dr. Paul Lazarsfeld, Director of the Office of Radio Research at Columbia University. It was found that certain classifications of stations were not cooperating, and no sample matching was possible. Rough projections have been made, and have been released, because they are useful within limitations. The figures themselves are not reliable, but the relationship of figures from month to month and year to year are reliable and significant. The projection of total units of advertising placed with the broadcasting industry by month is as follows:

Program Units

	1940	1941	1942
January		6,500,000	7,879,000
February		5,992,000	7,291,000
March		6,847,000	
April		6,753,000	
May		7,003,000	
June		6,802,000	
July		6,717,000	
August		6,697,000	
September	6,217,000	6,717,000	
October	7,764,000	8,140,000	
November	6,875,000	7,858,000	
December	6,776,000	8,242,000	

Announcement Units

	1940	1941	1942
January		997,000	1,151,000
February		1,001,000	1,094,000
March		1,161,000	
April		1,287,000	
May		1,264,000	
June		1,159,000	
July		1,119,000	
August		1,122,000	
September	1,022,000	1,207,000	
October	1,256,000	1,373,000	
November	1,139,000	1,351,000	
December	1,177,000	1,469,000	

To get a clear conception of trend of the above monthly figures, twelve-month moving totals were calculated. These are figures for the year closing at the end of each month. They properly account for seasonal activity and are of particular value for the purpose of forecasting. The twelve-month moving totals calculated through February, 1942, are as follows:

Year Ending	Program Units	Announcement Units
August, 1941	80,943,000	13,705,000
September 1941	81,442,000	13,889,000
October, 1941	81,818,000	14,006,000
November, 1941	82,801,000	14,219,000
December, 1941	84,267,000	14,511,000
January, 1942	85,646,000	14,664,000
February, 1942	86,944,000	14,756,000

To give some conception of the source of radio business, the breakdown of twelve-month moving totals at the close of February, 1942, was as follows:

	Program Units	Announcement Units
Local	25,076,000	8,496,000
National Spot	25,770,000	5,716,000
Regional Network	5,090,000	544,000
National Network	31,008,000	0
Total	86,944,000	14,756,000

Similar analysis for each classification of business has been planned. However, the pressure of work involved in compiling the monthly reports, and more recently in closing out the entire operation, has held up this work. It is still hoped that it can be done as rapidly as possible after the Cleveland convention. Progress, however, is apt to be slow because of personnel limitations.

The NAB Research Committee and the Research Department are striving now to make satisfactory arrangements with an outside organization to continue, in some form, the valuable service embodied in the "Broadcast Advertising Record". It is hoped that an announcement can be made at an early date as to what organization will undertake the service. It is also hoped that stations will support the undertaking for two important reasons; first, in self interest, to keep this sales-aid available for the station's own use; and second, to continue to provide the general industry data so vital in the operation of the NAB Department of Broadcast Advertising.

CENSUS OF 1940

The NAB Research Department has continued its contact with the Bureau of the Census during the past year, and every effort has been made to encourage the Census Bureau to release the radio figures developed from the Housing Census. To date, six state reports have been made, in which are contained radio figures by county in detail of urban, rural-nonfarm and rural-farm ownership. In addition, preliminary figures of state totals have been released for thirty states and the District of Columbia. The latter were published in a special release of the Census Bureau. The six individual state reports were contained in the "Second Housing Series General Characteristics" Census Bureau publication. These "Series Two" reports will be published by state as they are completed. The usual procedure of the Census Bureau has been to release small states first and the large population states last. Individuals in the Bureau of the Census estimate that "Series Two" reports for all states will not be completed prior to January 1st of next year.

After consultation with the NAB Research Committee, discussions have been held with Census people in an effort to work out some means whereby the radio figures can be made available at an earlier date. It is apparent now that Census officials realize that there exists a real need for the radio data by the industry and various government departments concerned with war operations, and that earlier releases are advisable. The Research Department is informed that preliminary figures of radio families at the 1940 Census date will be released by state, in detail by county totals, with separate figures of rural-farm and rural-nonfarm, and radio ownership figures for cities of 25,000 population or more. It was indicated at the time of the last contact with the Bureau that approximately 17 states are completed and can be released as soon as preliminary releases can be prepared. It is thought that most of the state preliminary releases can be completed prior to the end of June and the remainder prior to the end of July.

When the Bureau of the Census released the first radio ownership data, it was disclosed that the figures of radio ownership were not complete due to the fact that the radio question in the Housing Census form was not answered for all occupied dwelling units. For the state of Nevada, the first state released, 1,113 occupied dwelling units were not covered by answers to the radio question. The preliminary figures for 30 states and the District of Columbia contain 297,369 occupied dwelling units with no answer to the radio question. The Research Department has therefore followed the procedure of projecting total figures. The method employed in projection has been discussed with the Census

Bureau, and although official sanction cannot be given, it is evident that reliable results are obtained. The method has also been reviewed by the NAB Research Committee and approved.

A considerable amount of work will be involved in handling the preliminary releases for publication. Since the figures of urban ownership will not be given for each county, they must be obtained by calculation. After this step is completed, projection will be made of each figure to estimate totals, each category by county of urban, rural-nonfarm and rural-farm. The same procedure will be followed by cities of 25,000 population or more. The state estimates will be published in the NAB Reports as rapidly as they become available, and when all states are complete, it is proposed by the Research Committee that the Research Department compile and publish a radio data market book, including figures by state, county, and principal cities of population, homes, radio ownership, retail sales and any other data decided upon as of material value.

Estimated state totals of the number of occupied dwelling units, percent equipped with radio, and the number of dwellings with radios for 30 states and the District of Columbia follow:

	Occupied Dwelling Units	% Radio	Radio Units
NEW ENGLAND			
Maine	218,968	86.5	189,321
New Hampshire	132,936	90.0	119,664
Vermont	92,435	88.6	81,905
Rhode Island	187,706	95.7	179,652
Connecticut	448,682	95.7	429,236
WEST NORTH CENTRAL			
Iowa	701,824	90.2	633,180
North Dakota	152,043	88.4	134,422
South Dakota	165,428	84.6	139,883
Nebraska	360,744	84.7	305,660
Kansas	511,109	83.0	424,396
SOUTH ATLANTIC			
Delaware	70,541	87.0	61,380
District of Columbia	173,445	93.7	162,446
Virginia	627,532	67.1	421,148
West Virginia	444,815	75.1	334.267
North Carolina	789,659	61.8	487,581
South Carolina	434,968	49.6	215,740
Florida	519,887	64.8	336.791
EAST SOUTH CENTRAL			
Alabama	673,815	49.4	333,229
Mississippi	534,956	39.9	213,353
WEST SOUTH CENTRAL			
Arkansas	495,825	50.9	252,266
Louisiana	592,528	53.3	315,292
Oklahoma	610,481	68.8	420.253
MOUNTAIN			
Montana	159,926	86.2	137,900
Idaho	141,727	86.4	122,471
Wyoming	69,374	84.4	58,531
Colorado	316,000	84.5	267,280
New Mexico	129,475	53.2	68,950
Arizona	131,133	69.0	90,408
Utah	139,487	92.4	128,944
Nevada	33,291	81.4	27,119
PACIFIC			
Oregon	337,492	88.7	299,255

STATION COVERAGE

The NAB Research Committee, in its meeting April 10, discussed the subject of station coverage, and it appears that the proposal of the AAAA Time Buyers Committee, which would employ signal strength and audience mail analysis, will receive its endorsement in broad outline. Coverage claims would be presented separately for day and night. Day and night maps would contain the results of signal strength studies and audience mail.

1. SIGNAL STRENGTH: Day signal strength contours would contain the minimum of the half-millivolt line. Other contour lines which may be included are twenty-five, ten, two and one-tenth millivolts per meter.
   Night signal strength map will set forth a contour line showing the point of interference as the minimum requirement, and may also include the other millivolt lines. Clear channel stations will show sky-wave contours where half-millivolt signal is available 50% of the time.
   All signal strength material presented is to be described accurately in terms of the NAB Engineering Recommendations on the conducting of signal strength surveys, and in conformance with the FCC Rules and Regulations on the subject.
2. AUDIENCE MAIL: Cumulative audience mail will be used for the purpose of coverage calculations. Some minimum of the volume of mail will be prescribed. Separate calculations for day and night coverage will be made.
   Mail response will be related to 1940 Census figures of radio families to produce an index of response per thousand radio families.
   The home county, or specifically the county in which the station's principal studios are located, will be used as the base for analyzing audience response indexes by county.
   Primary coverage will consist of those counties having audience response indexes 25% or greater than the home county.
   Secondary coverage will consist of those counties having an index of audience response 5% to 25% of the home county index.

The format of coverage presentation has not yet been evolved. However, particular emphasis will be given to the descriptive matter required to assure proper understanding or interpretation of the material presented. It is the hope of the Research Committee that a recommendation on method will be available for its consideration when it meets in Cleveland May 10th.

RADIO TAX

The inclusion of the Radio Tax in the House Bill of 1941, providing for a levy on the time sales of radio stations and networks, commanded NAB attention. The Research Director was called upon to serve on the special committees appointed to handle the matter, and after Ellsworth C. Alvord was retained as tax counsel for the Association, the Research Department collaborated in the collection of information needed in preparing the NAB tax case presented by Mr. Alvord before the Senate Finance Committee hearings on the subject. The Radio Tax was eliminated in the Senate Tax Bill and was not reinstated in conference.

It will be recalled that the statements of John B. Haggerty, President of the Allied Printing Trades Union, before the House Ways and Means Committee, had been credited as being the principal reason for the inclusion of a radio tax.

On September 18, the NAB Labor Relations Department sent an inquiry to all stations asking the amount spent in union print shops during the first six months of 1941. The NAB Research Department tabulated the results of the 441 stations replying. The study showed that radio stations, for the first six months of the year, 1941, placed directly with the union print shops some half-million dollars worth of business.

Last December, Mr. Haggerty prepared a long report on the subject of the Radio Tax for his association and distributed copies to members of Congress and apparently to a large mailing list. The NAB Research Department made a study of his report and developed factual information needed in refuting his claims. The Department also assisted in collecting the factual material needed for the statement of Mr. Alvord and the memorandum he submitted to the House Ways and Means Committee April 17th. Mr. Alvord's appearance followed the appearance of John B. Haggerty on April 14 when he asked the House Ways and Means

Committee to levy a tax averaging from five to fifteen per cent on radio time sales. To date, no radio tax is included in the 1942 Tax Bill as it is being drafted.

NAPA QUESTIONNAIRE

On June 26, the NAB Research Department sent a questionnaire to all broadcast stations in the state of Pennsylvania, requesting information as to the contractual relations each had with the National Association of Performing Artists (NAPA). The survey was made at the request of various stations in the state, and was confined to the state of Pennsylvania because NAPA operation was centered there as a result of the Pennsylvania Supreme Court decision in the Waring vs. WDAS case. The questionnaire was sent to 44 radio stations and replies were received from 41. Follow-up letters were sent out September 8 and September 24 in an effort to get full response and also to obtain permission to use the material in a report of survey findings addressed to the stations of Pennsylvania. The proposed report was prepared and mailed October 20, 1941, to the 41 cooperating stations.

RADIO WAR EFFORT

Stations have been asked to submit monthly reports of the announcements and programs broadcast in behalf of the war effort. The reports, known as "Defense Broadcast Reports", were started before the United States entered the war and have served an important function in the NAB effort to aid our government and the industry in effectively using radio in national defense activity. The value of the report has increased manifold since our war declaration.

The NAB Research Department has analyzed the reports as a service to Mr. Arthur Stringer to whom the reports are addressed. In addition to Mr. Stringer's use of the analysis, the information has been employed in connection with the tax cases before the Congress, and the many conferences which have been held with Army, Navy, Marine Corps, Coast Guard and government departments.

The number of stations submitting defense broadcast reports is as follows:

1941—July	257	1942—January	493
August	366	February	438
September	373	March	439
October	363		
November	350		
December	459		

Analyses of the reports have been published for the months of September, December, January and March and have been printed in the NAB Reports.

OFFICE OF FACTS AND FIGURES

The Office of Facts and Figures has looked to the NAB for assistance in setting up its service to the war effort in the matter of coordinating governmental use of broadcasting. Considerable time of the Research Department has been devoted to the development of information required by OFF and also in rendering an advisory service to that government office, in matters of research.

On March 4, the Research Department, in consultation with the Research people of OFF, prepared a questionnaire on Radio War Activities which was sent to a carefully selected sample of thirty stations. The questionnaire was designed to develop information on the number of requests received by stations for broadcast service from offices of the armed forces, government agencies and other organizations (quasi-governmental and local) having connection with the war effort. A weekly schedule of such requests was asked, together with a record of the disposition of such, during the week of survey and also the number of requests fulfilled during the week of survey, which had been received prior to the week. A supplemental questionnaire was attached asking questions as to the experience of stations in the matter of handling the requests as a management function.

Twenty-seven of the thirty stations submitted replies to the questionnaire originally sent out March 4 over the joint signatures of Neville Miller for the NAB, and John Shepard, 3rd, for the Broadcasters Victory Council. Both Mr. Miller and Mr. Shepard followed up immediately with personal letters to each of the thirty stations asking full cooperation. By April 1st, reports had been received from twenty-three stations. On April 1st a wire, signed by the Research Director, was sent to the remaining seven stations. By April 8, reports had been received from twenty-five stations, and wires were sent to the remaining five by Neville Miller. Three stations refused cooperation in this matter which is considered to be of singular importance to the industry.

The Research Department is working with the Research people of the OFF in tabulating the results, and it is hoped that the information will not be too seriously impaired by the absence of replies from three stations in the thirty-station sample.

The OFF is now launching a research program which challenges the research profession. The research desired is designed to determine the effect of the radio war effort on the public. Naturally the results which will be gathered will reflect not only the effectiveness of radio in reaching the public, but will also disclose public reaction to the entire war effort; the policy of the government in its war operation, the degree of acceptance by the people of the many efforts of government, in enlistment to the armed forces, in soliciting funds, in asking conservation of scarce materials, etc. The NAB Research Director was asked by Dr. Frank N. Stanton, who is in charge of Research for the Office of Facts & Figures, to serve with a group of outstanding people in the field of radio research, who are consulting with him on the project.

SELECTIVE SERVICE QUESTIONNAIRE

On May 9, 1941, just prior to the St. Louis convention, the Research Department sent a questionnaire to all broadcasting stations, requesting information as to the number of radio engineers, their status with respect to the Selective Service Act and Reserve Corps, and the availability of replacements for vacancies for any reason. By June 20, completed questionnaires had been received from 507 of the 836 standard broadcast stations which were in operation May 1. This represented a return of 61%. On June 20, the Research Department completed a report on "The Effect of National Defense Activities on Technical Personnel of the Broadcast Industry", which was presented to National Headquarters, Selective Service System as evidence of the critical shortage of radio engineers existing in the industry at that time. The report contained an analysis of the selective service classification of the 3,085 engineers employed by the 507 stations reporting. The selective service classification at that time was in accordance with the first Selective Service Act, 1940, which applied to ages 21 through 35.

A Selective Service Board turned over the report to the Department of Labor for study. A series of conferences were held between the Research Department and the Department of Labor, and on July 11 a revised report was prepared to incorporate the change resulting from Congressional revision in the Selective Service Act, dropping the upper age limit from 35 to 27. It is understood that the report of the Labor Department to the Selective Service Board, as a result of its study, was favorable to the industry.

SALES ORGANIZATION QUESTIONNAIRE

On October 24, 1941, the Research Director sent a questionnaire to all station managers, asking information as to the organization of the sales department of stations. It will be recalled that at the 1939 NAB Convention in Atlantic City, Dr. Herman S. Hettinger of the Wharton School of Finance, University of Pennsylvania, presented the results of such a study which had been made under his direction by one of the University students during that year. The interest manifested at that time led the NAB to publish and distribute to members a report of the study which was prepared by Dr. Hettinger in collaboration with the Research Department.

The orginal study was based on a small sample and was therefore limited in scope. Numerous requests received from stations for information on Sales Organization, the number of salesmen employed, method of compensation, etc. led to the consideration of a revision of the original study. After discussion with Dr. Hettinger, a senior student at the Wharton School, William G. Owen, volunteered to undertake the revision as an academic project and prepare a report to serve as his thesis, required for degree. The proposal was presented to the Sales Managers Executive Committee and it endorsed the plan. Frank E. Pellegrin, Dr. Hettinger and your Research Director counseled Mr. Owen in developing the questionnaires.

On October 24, the questionnaires were sent to the Sales Managers of all stations. By December 5, completed questionnaires had been received from 260 stations, and on that day, follow-up was sent, urging those stations which had not submitted reports to do so. A total of 364 completed questionnaires have been turned over to Mr. Owen. This compares very favorably with the 88 stations contained in the sample of the 1939 study. It is expected that Mr. Owen's report will be informative and useful to the broadcasting industry.

On January 27, a second part of the Sales Organization survey was sent to all station sales managers. This questionnaire developed information necessary to round out the picture of sales organization. It asked information concerning the supporting functions for selling; research promotion, sales presentations and merchandising. To date, 183 of these questionnaires have been received and turned over to Mr. Owen for tabulation.

It is hoped that some preliminary data from the survey will be available at the Cleveland convention, and it is expected that the finished report will be turned over to NAB in June and that it can be sent to cooperating stations as soon thereafter as it can be printed.

NEWS PROGRAM QUESTIONNAIRE

The concern of the U. S. Committee on War Information over the handling of news broadcasts commanded the attention of the industry. The Broadcasters Victory Council prepared a list of suggestions on the handling of news broadcasts which was submitted to the Committee on War Information. A meeting of the NAB Code Committee was called to tackle the problem. The Broadcasters Victory Council was represented at the Code Committee meeting and conferences were held with the Committee on War Information. As a result of the meeting which was held February 6, the NAB Research Department was asked to conduct a survey on News and News-type programs.

On February 14, 1942, a questionnaire was sent to a pre-selected sample of 270 stations. The questionnaire was composed of two parts. Part One dealt with station policy on the handling of News and News-type programs, and Part Two asked information as to the amount of revenue from the sale of news programs and tie-in announcements; a separate figure on revenue from spot announcements sold adjacent to News programs; and a schedule of all News-type programs broadcast during the week of February 8 through 14 inclusive.

On February 25, a follow-up was sent to those stations which had not yet replied. On March 10, a selective follow-up was sent by wire to nine stations in an effort to complete a scientifically selected sample of 85 commercial stations prepared for NAB by Dr. Paul S. Lazarsfeld, Director of the Office of Radio Research of Columbia University.

A tabulation of the survey has been completed and a report of findings is being prepared for the NAB Code Committee and will be submitted at its meeting to be held in Cleveland May 10, 1942.

STATION ANALYSIS

As of May 1, 1942, standard broadcast stations of the United States and its possessions number 924. Analysis of these by class of station is presented in the following table, together with the count of NAB members within each classification. These classifications agree with those used by the Federal Communications Commission. The analysis is made from a master station file maintained by the Research Department.

	Stations as of May 1, 1942	NAB Membership May 1, 1942
Clear Channel:		
Unlimited (50kw)	43	37
Part-time (50kw)	5	4
Unlimited (5 to 25kw)	19	16
Part-time (5 to 25kw)	5	3
Regional Channel:		
Unlimited	254	180
Limited and Day	45	23
Part-time	23	8
Local Channel:		
Unlimited	419	204
Day and Part-time	36	9
	849	481
Non-Commercial	34	4
Territorial	14	6
Construction Permits	27	5
	924	499
High Frequency Educational		1
Frequency Modulation (Operating Commercial)		4
Frequency Modulation (CP Commercial)		1
" " (Experimental)		1
Total NAB Stations		506

A second analysis of broadcasting stations is presented in the following table in detail by population of metropolitan districts or cities in which stations are located. The information presented shows the total number of stations in each of nine city size classifications as of May 1, 1942, together with the number of NAB member stations at the same date. The nine city size classifications agree with those used by the FCC in their financial analysis. This tabulation is also taken from the NAB Research Department station file.

Metropolitan Districts (1940 Census)	Operating Commercial Stations Continental U. S.		Non-Commercial Stations		Territorial Stations		Construction Permit Stations		Total Stations	
	Total	NAB	Total	NAB	Total	NAB	Total	NAB	Total	NAB
2,500,000 and over	66	32	5	1	0	0	2	1	73	33
1,000,000 to 2,500,000	51	34	1	0	0	0	1	0	53	34
500,000 to 1,000,000	52	36	2	0	0	0	0	0	54	36
250,000 to 500,000	97	64	4	2	1	0	5	0	107	66
100,000 to 250,000	125	89	2	0	7	5	6	1	140	96
50,000 to 100,000	48	30	1	0	1	0	4	3	54	33
City and Town										
25,000 to 50,000	124	78	1	0	0	0	1	0	126	78
10,000 to 25,000	194	92	9	0	0	0	6	0	209	91
Less than 10,000	92	29	9	1	5	1	2	0	108	31
	849	484	34	4	14	6	27	5	924	499
High Frequency Educational								1 (NC)		1
Frequency Modulation	4)									
Frequency Modulation (Experimental)	1)							1		6
Total NAB Stations										506

GENERAL RESEARCH ACTIVITY

The specific projects mentioned in the foregoing paragraphs constitute the larger, time-consuming jobs undertaken by the Research Department. In addition to these, there has been the normal work of the department in serving the various other NAB Departments with the information required in the regular handling of their work; the rendering of research counsel and development of industry information to fulfill the requests received from members; and representation of the Association in matters of research in the fields of advertising, general business and before the public.

Your Research Director feels that the Association has advanced in matters of research during the past year. The Research Department has enjoyed its work with the industry and is looking forward to further progress during the coming year.

Respectfully submitted,

Paul F. Peter, *Director of Research.*

May 1, 1942.

Promotion Department

The formal declaration of war found broadcasters prepared for action.

They had been on maneuvers for many months—ever since July 23, 1940, when the Civil Service Commission sought assistance in recruiting skilled workers for the Army and Navy armament production. The million mark was passed last January.

Broadcasting today is an integral part of the nation's war effort. It unites men on the battle front with the folks on the home front. It recruits men for the Army, Navy, Marine Corps, Coast Guard and Civil Service; sells war bonds and stamps by the billions. It informs, entertains and delivers the news; fosters conservation, improves our health and does a hundred and one other jobs, all at no cost to the government or the American people.

THAT LITTLE COMMERCIAL

Ability to perform these varied services is due to one little word, "commercial," a fact that's getting noised about. Not long ago a letter was received in Washington from a detachment on foreign duty, unable, because of location, to get American programs. The writer for the group ended with this plaintive wail:—"If we could only hear some programs with good old American commercials."

NO SHORTAGE OF RECEIVERS

As long as there are radio programs, it is anticipated that there will be facilities for hearing them despite the discontinuance of home radio set manufacturing. And by January 1, 1943 it is expected that the total receiver count will have made another high with over 60,000,000 sets in use. As long as the present supply of many millions lasts, new sets will be available throughout the country. They may be purchased without restrictions.

Because of the multitude of services which radio is now rendering and will render in the days to come, it is inconceivable that Federal provision will not be made for an adequate supply of replacement parts. If a severe shortage of servicemen should develop, American ingenuity would necessarily be called upon to evolve an entirely new technique in set servicing.

The broadcasting industry has a duty to the country of maintaining essential radio circulation. This now involves transmission of programs by 924 stations and radio reception in 30,600,000 homes, in 9,000,000 radio-equipped automobiles and in institutions, places of business, etc., which brought the total receiver sets in use to 56,000,000 last January 1. Continued contact with government, manufacturers and the radio trade will be required.

RADIO'S WAR EFFORT

Station war effort has been magnificent from the beginning. War Effort Broadcast reports are received voluntarily from stations each month. From this material the NAB Research Department calculates the number of program units of local origination devoted to the promotion of war tasks common to most stations. Not included are units in sponsored or sustaining network programs. Since the industry's patriotism is not for sale, these program units are never evaluated on a dollars and cents basis. The consolidated report for all stations for March, 1942 follows as Exhibit A.

EXHIBIT A

RADIO'S WAR EFFORT FOR MARCH, 1942

Manpower

	No. of Broadcasts
ARMY	
Live spots	35,680
15 Minutes—et	2,680
15 Minutes—live	120
10 Minutes	20
5 Minutes	20
NAVY	
Live spots	37,870
15 Minutes—et	1,370
15 Minutes—live	460
10 Minutes	10
5 Minutes	120
30 Minutes—et	370
MARINE CORPS	
Live spots	31,450
15 Minute scripts	1,050
15 Minutes—et	1,160
COAST GUARD	
Live spots	22,040
15 Minutes—et	110
U. S. CIVIL SERVICE	
Live spots	25,300
15 Minutes—live	40

War Financing

U. S. TREASURY	
Live spots	141,780
15 Minutes—et	6,070

Morale

"You Can't Do Business with Hitler"—WPB

15 Minutes—et	2,780

Other Government Agencies Which Secured Time

Live Spot	43,870
2 Minutes—live	120
3 Minutes—live	300
5 Minutes—et	960
5 Minutes—live	2,810
10 Minutes—live	730
15 Minutes—live	8,060
15 Minutes—et	1,990
25 Minutes	10
30 Minutes—et	60
30 Minutes—live	690
45 Minutes	90
60 Minutes	40

STRONG SUPPORT FOR FIGHTERS

Coordination of recruiting announcements for the Army, Navy, Marine Corps, Coast Guard and Civil Service through this office continues by request of these departments.

Col. H. N. Gilbert, Army recruiting chief, with whom the department began Army cooperation, has a new assignment. Before taking his new post in April Col. Gilbert sent the following letter of appreciation for transmittal to broadcast executives.

"I am winding up my ball of yarn after six interesting years of work here. I'm taking this opportunity to express to you and the National Association of Broadcasters my appreciation for the cooperation and wholehearted assistance that has been given the Army Recruiting and Induction Service during my time as its chief. That assistance has been of great value and contributed greatly to our success."

NAB WAR COMMITTEE

The NAB War Committee came into being on July 16, 1941 as the NAB National Defense Committee. It consists of:

John E. Fetzer, WKZO, Kalamazoo, Mich., Chairman
*H. Vernon Anderson, WJBO, Baton Rouge, La.
Harry C. Butcher, CBS, Washington, D. C.
Leo J. Fitzpatrick, WJR, Detroit, Mich.
A. J. Fletcher, WRAL, Raleigh, N. C.
Ben Ludy, WIBW, Topeka, Kansas
Frank M. Russell, NBC, Washington, D. C.

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*Now in service.

At its initial meeting the committee envisioned an impending critical shortage of radio technicians for the armed forces and industry. Deciding to foster remedial measures the committee approved a broad plan whereby this department would undertake the establishment of radio technician training courses.

The Army Signal Corps and the Navy's Bureau of Navigation officially asked the NAB War Committee to institute technician training courses. Both approved the statement to educators that the need for such men was urgent and that the number that could be used was practically unlimited.

ENLISTED RESERVE CORPS

Since investigation showed that the armed services, broadcasting and industry had already absorbed all available radio-manpower, there was but one thing to do. That was to begin with "green" men and teach them the fundamentals of radio.

After having acquired basic knowledge, students going into the armed services would be prepared for intensive, in-service training which would finally qualify them for various communications tasks.

Large numbers of 1-A students and others are now enlisting in the Enlisted Reserve Corps. This permits them to remain undisturbed at their jobs and at their studies as long as satisfactory grades are maintained. Those not qualified for military service, by one reason or another, will afford relief to industry upon completion of their studies. The precise date will vary from city to city, depending upon the starting time.

The course outline which is being followed throughout the United States was prepared by Dr. W. L. Everitt, professor of electrical engineering in charge of communication, Ohio State University, Columbus; Carl E. Howe, associate professor of physics, Oberlin College, Oberlin; Richard H. Howe, assistant professor of physics, Denison University, and secretary-treasurer, The Ohio Section of the American Physical Society, Granville; Carl Smith, Cleveland, chief engineer, radio stations WHK, WCLE and WHKC; Lynne C. Smeby, director of engineering, National Association of Broadcasters. Two of the authors, Dr. Everitt and Mr. Smeby, are now on full time duty at the Signal Corps.

Among the colleges and universities responding to the appeal to teach "Fundamentals of Radio" to "green" men are those shown in Exhibit B.

EXHIBIT B

COLLEGES AND UNIVERSITIES GIVING RADIO TECHNICIAN TRAINING COURSES

ALABAMA

- Alabama Polytechnic Institute

ARIZONA

- University of Arizona

ARKANSAS

- University of Arkansas

CALIFORNIA

(south)

- California Institute of Technology

(north)

- Stanford University
- University of Santa Clara

COLORADO

- Colorado School of Mines
- University of Colorado
- University of Denver
- Colorado College
- Colorado State College of A. & M. Arts
- Colorado State Teachers College
- Mesa Junior College
- Pueblo Junior College

CONNECTICUT

- Bridgeport Engineering Institute
- New London Junior College
- University of Connecticut
- Yale University

DELAWARE

- University of Delaware

FLORIDA

- Orlando Junior College
- University of Florida
- University of Tampa

GEORGIA

- Georgia School of Technology

IDAHO

- University of Idaho

ILLINOIS

- Illinois Institute of Technology
- Northwestern University
- University of Chicago
- University of Illinois
    - Bradley Polytechnic Institute
    - Illinois State Normal University
    - Southern Illinois Normal University
- DePaul University
- St. Procopius College

INDIANA

- Purdue University
- Rose Polytechnic Institute
- University of Notre Dame

IOWA

(east)

- The State University of Iowa
    - Burlington Junior College
    - Coe College
    - Iowa State Teachers College
    - Loras College
    - Luther College
    - St. Ambrose College

(west)

- Iowa State College
    - Drake University
    - Fort Dodge Junior College
    - Graceland College
    - Grand View College
    - Mason City
    - Morningside College

KANSAS

- University of Kansas
    - Rockhurst College (Mo.)
    - St. Benedict's College

KENTUCKY

- Speed Scientific School, University of Louisville
- University of Kentucky
- Western Ky. State Teachers College

LOUISIANA

- Louisiana Polytechnic Institute
- Louisiana State University
- Loyola University
- Southwestern Louisiana Institute
- Tulane University

MAINE

- University of Maine
- Bates College

MARYLAND AND DISTRICT OF COLUMBIA

- Catholic University
- George Washington University
- Howard University
- Johns Hopkins University
- University of Maryland

MASSACHUSETTS

- Boston University
    - Lowell Textile Institute
- Massachusetts State College
- Northeastern University
    - Franklin Technical Institute
    - Rindge Technical School
- Smith College
- Wellesley College
- Worcester Polytechnic Institute with Holy Cross College

MICHIGAN

- Detroit Institute of Technology
- Michigan State College
    - Flint Junior College
    - Grand Rapids Junior College
    - Kalamazoo College
- University of Detroit
- Wayne University

MINNESOTA

- University of Minnesota
    - College of St. Thomas
    - Duluth Junior College
    - Macalester College
    - Moorhead State Teachers College
    - Rochester Junior College
    - Winona State Teachers College

MISSISSIPPI

- Mississippi State College

MISSOURI

- University of Missouri
- Washington University
    - Drury College

MONTANA

- Montana State College

NEW HAMPSHIRE

- University of New Hampshire

NEW JERSEY

- Rutgers University

NEW MEXICO

- University of New Mexico

NEW YORK

(upper)

- Alfred University
- Clarkson College of Technology
    - Franklin Academy
    - St. Lawrence University
    - State Normal School—Plattsburg
- Cornell University
- Niagara University
- Syracuse University
    - Hartwich College
    - Hobart College
    - State Normal School—Oswego
    - Utica Free Academy
- Union College
- University of Buffalo
- University of Rochester
- Vassar College

NEW YORK

(metropolitan)

- City College
- Manhattan College
- New York University

NORTH CAROLINA

- N. C. State College

NORTH DAKOTA

- University of North Dakota

OHIO

- Case School of Applied Science
    - Baldwin-Wallace College
    - College of Wooster
    - John Carroll University
    - Oberlin College
- Fenn College
- Miami University—*self sponsored*
- Ohio Northern University
    - Bluffton College
    - Findlay College
- Ohio State University
    - Ashland College
    - Capital University
    - Denison University
    - Kent State University
    - Mt. Union College
    - Ohio Wesleyan University
    - Otterbein College
- Ohio University
- University of Akron
- University of Cincinnati
- University of Dayton—*self sponsored*
    - Wilmington College
- University of Toledo
    - Bowling Green State University
    - Defiance College
    - Heidelberg College
- Western Reserve University

OKLAHOMA

- University of Oklahoma
    - Oklahoma Baptist University
    - Oklahoma City Junior College

OREGON

- Oregon State College

PENNSYLVANIA

(east)

- Haverford College
- Temple University
- Villanova College

(west)

- Bucknell University
- Pennsylvania State College
- University of Pittsburgh

RHODE ISLAND

- Brown University

SOUTH CAROLINA

- Clemson College
- The Citadel
- University of South Carolina

SOUTH DAKOTA

- South Dakota State College

TENNESSEE

- University of Tennessee
    - State Teachers College—Johnson City
    - University of Chattanooga
- Vanderbilt University

TEXAS

- A. & M. College of Texas
    - Kilgore College
    - Port Arthur College
    - Tyler Commercial College
- Southern Methodist University
    - Austin College
    - East Texas State Teachers College
- Texas College of Arts and Industries
- Texas Technological College
    - Abilene Christian College
    - Amarillo College
- University of Texas
    - College of Marshall
    - Edinburg Junior College
    - St. Mary's University
    - San Antonio Junior College
    - Texarkana Junior College
    - Texas Christian University

UTAH

- University of Utah
  - Brigham Young University
  - Carbon College
  - Weber College

VIRGINIA

- University of Richmond
- Virginia Military Institute
- Virginia Polytechnic Institute

WASHINGTON

- State College of Washington
- University of Washington

WEST VIRGINIA

- West Virginia University
  - Marietta College—Ohio
  - Marshall College

WISCONSIN

- University of Wisconsin
  - Beloit College
  - Lawrence College
  - Milton College
  - St. Norbert College
  - State Teachers College—Eau Claire
  - State Teachers Collgee—La Crosse
  - State Teachers College—Oshkosh
  - State Teachers College—Stevens Point

WYOMING

- University of Wyoming

PUERTO RICO

- University of Puerto Rico, Rio Piedras

The plan of educational organization to implement the radio training program was suggested by Dean R. A. Seaton, director, Engineering, Science and Management Defense Training, functioning in the U. S. Office of Education. This office, in turn, is administered by Paul V. McNutt, head of the Federal Security Agency, who is to address the NAB convention.

State educators suggested by ESMDT Regional Advisers were named State Coordinators by the NAB war committee and there were matching appointments of broadcasters as Industry Representatives. These men are listed below in Exhibit C.

EXHIBIT C

STATE ORGANIZATION, RADIO TRAINING PROGRAM

State Coordinator—Top Line
Industry Representative Indicated by *

ALABAMA

J. E. Hannum, Asst. Dean of Engineering, Alabama Polytechnic Institute, Auburn
* Howard E. Pill, WSFA, Montgomery

ARIZONA

Prof. O. H. Polk, University of Arizona, Tucson
* Richard O. Lewis, KTAR, Phoenix

ARKANSAS

C. A. VerBeck, Director ESMDT, University of Arkansas, Fayetteville
* G. E. Zimmerman, KARK, Little Rock

CALIF. (north)

S. B. Morris, Dean of Engineering, Stanford University, Palo Alto, ESMDT Regional Adviser; Dean George L. Sullivan, Institutional Representative, ESMDT, College of Engineering, University of Santa Clara, Santa Clara; Prof. M. P. O'Brien, Institutional Representative, ESMDT, University of California, Defense Training Office, Berkeley. No northern Calif. coordinator
* Howard Lane, KFBK, Sacramento

(south)

R. W. Sorensen, Prof. of Electrical Engineering, Calif. Institute of Technology, Pasadena
* John Austin Driscoll, KRKD, Los Angeles

COLORADO

M. F. Coolbaugh, President, Colorado School of Mines, Golden
* Eugene P. O'Fallon, KFEL, Denver

CONNECTICUT

J. H. Lampe, Dean of Engineering, The University of Connecticut, Storrs
* F. M. Doolittle, WDRC, Hartford

DELAWARE

W. T. Spivey, ESMDT Regional Adviser, Region 8, Drexel Institute of Technology, Philadelphia
* J. Gorman Walsh, WDEL, Wilmington

FLORIDA

Joseph Weil, Dean of Engineering, University of Florida, Gainesville
* Garland Powell. WRUF, Gainesville

GEORGIA

Dr. R. L. Sweigert, Georgia School of Technology, Atlanta
* Don Ioset, WAGA, Atlanta

IDAHO

J. E. Buchanan, Dean of Engineering, University of Idaho, Moscow
* Frank E. Hurt, KFXD, Nampa

ILLINOIS

Henry T. Heald, President, Illinois Institute of Technology, Chicago
* W. E. Hutchinson, WAAF, Chicago

INDIANA

Donald B. Prentice, President, Rose Polytechnic Institute, Terre Haute
* Martin L. Leich, WBOW, Terre Haute

IOWA (east)

F. M. Dawson, Dean of Engineering, State University of Iowa, Iowa City

(west)

T. R. Agg, Dean of Engineering, Iowa State College, Ames
* F. C. Eighmey, KGLO, Mason City (east and west)

KANSAS

Guy V. Keeler, Director ESMDT, University of Kansas, Lawrence
* Ben Ludy, WIBW, Topeka

KENTUCKY

F. L. Wilkinson, Jr., Dean, Speed Scientific School, University of Louisville
* Nathan Lord, WAVE, Louisville

LOUISIANA

Dean Vorhees, University of Louisiana, Baton Rouge
* H. Vernon Anderson

MAINE

Prof. B. C. Kent, University of Maine, Orono
* George F. Kelley, WCSH, Portland

MARYLAND

S. S. Steinberg, Dean of Engineering, University of Maryland, College Park
* L. Waters Milbourne, WCAO, Baltimore

MASSACHUSETTS

Prof. R. D. Douglass, Massachusetts Institute of Technology, Cambridge
* E. E. Hill, WTAG, Worcester

MICHIGAN

H. B. Dirks, Dean of Engineering, Michigan State College, East Lansing
* William Alfs, WJR, Detroit

MINNESOTA

Prof. C. A. Koepke, University of Minnesota, Minneapolis
* Earl H. Gammons, WCCO, Minneapolis

MISSISSIPPI

L. L. Patterson, Mississippi State College, State College
* Wiley P. Harris, WJDX, Jackson

MISSOURI

A. S. Langsdorf, Dean of Engineering, Washington University, St. Louis
* George Burback, KSD, St. Louis

MONTANA

William M. Cobleigh, Dean of Engineering, Montana State College, Bozeman
* A. J. Mosby, KGVO, Missoula

NEBRASKA

O. J. Ferguson, Dean of Engineering, University of Nebraska, Lincoln
* Don Searle, KOIL, Omaha

NEVADA

Stanley G. Palmer, Dean of Engineering, University of Nevada, Reno
* Jack Winston, KOH, Reno

NEW HAMPSHIRE

L. W. Hitchcock, Acting Dean, School of Technology, Univ. of N. H., Durham
* Bert George, WHEB, Portsmouth

NEW JERSEY

Dr. A. R. Cullimore, President, Newark College of Engineering

NEW MEXICO

M. E. Farris, Dean of Engineering, University of N. M., Albuquerque
* George S. Johnson, KOB, Albuquerque

NEW YORK (upper)

Dean S. C. Hollister, College of Engineering, Cornell University, Ithaca
* Col. Harry C. Wilder, WSYR, Syracuse

(metro)

Albert B. Newman, Dean of Engineering, College of the City of New York

NORTH CAROLINA

Prof. Edward W. Ruggles, State College Extension Division, Raleigh
* A. J. Fletcher, WRAL, Raleigh

NORTH DAKOTA

L. C. Harrington, Dean of Engineering, University of North Dakota, Grand Forks
* E. C. Reineke, WDAY, Fargo

OHIO (north)

Prof. H. E. Nold, Director, ESMDT, Ohio State University, Columbus

(south)

Robert C. Gowdy, Dean of Engineering, University of Cincinnati
* John F. Patt, WGAR, Cleveland (north and south)

OKLAHOMA

R. V. James, Director ESMDT, University of Oklahoma, Norman
* William C. Gillespie, KTUL, Tulsa

OREGON

R. H. Dearborn, Dean of Engineering, Oregon State College, Corvallis
* Frank L. Hill, KORE, Eugene

PENN. (east)

W. T. Spivey, Drexel Institute of Technology, Philadelphia

(west)

Dr. Herbert L. Spencer, President, Pennsylvania College for Women, Pittsburgh
* A K. Redmond, WHP, Harrisburg (east and west)

RHODE ISLAND

Prof. F. N. Tompkins, Brown University, Providence
* John J. Boyle, WJAR, Providence

SOUTH CAROLINA

Prof. Robert Sumwalt, University of South Carolina, Columbia
* G. Richard Shafto, WIS, Columbia

SOUTH DAKOTA

Dean H. B. Blodgett, South Dakota State College, Brookings
* Morton Henkin, KSOO, Sioux Falls

TENNESSEE

N. W. Dougherty, Dean of Engineering, University of Tennessee, Knoxville
* J. T. Ward, WLAC, Nashville

TEXAS

W. R. Woolrich, Dean of Engineering, University of Texas, Austin
* George Cranston, KGKO, Forth Worth

UTAH

A. LeRoy Taylor, Dean of Engineering, University of Utah, Salt Lake City
* Earl Glade, KSL, Salt Lake City

VERMONT

Prof. E. R. McKee, University of Vermont, Burlington

VIRGINIA

Earl B. Norris, Dean of Engineering, V P I School of Engineering, Blacksburg
* C. T. Lucy, WRVA, Richmond

WASHINGTON (east)

R. D. Sloan, Vice Dean of Engineering, State College of Washington, Pullman
* Louis Wasmer, KHG, Spokane

(west)

E. A. Loew, Dean of Engineering, University of Washington, Seattle
* Robert E. Priebe, KRSC, Seattle

WEST VIRGINIA

R. P. Davis, Dean of Engineering, West Virginia University, Morgantown
* George C. Blackwell, WBLK, Clarksburg

WISCONSIN

F. Ellis Johnson, Dean of Engineering, University of Wisconsin, Madison
* Edwin C. Allen, WIBA, Madison

WYOMING

Ralph D. Goodrich, Dean of Engineering, University of Wyoming, Laramie
* William C. Grove, KFBC, Cheyenne

DISTRICT OF COLUMBIA

S. S. Steinberg, Dean of Engineering, University of Maryland, College Park

20,000 STUDENTS IN TRAINING

The 20,000 radio technician training students are enrolled in at least 764 classes set up in 45 states and Puerto Rico by approved engineering schools. Broadcasters discontinued recruiting on February 19 upon notification that funds were exhausted.

The facilities of many liberal arts colleges were brought into the picture through sponsorship of courses in such institutions by engineering schools. The latter are established as principal contractors by the law under which ESMDT operates.

To expedite the setting up of training courses in states with large numbers of educational institutions, industry representatives called special meetings of educators. The first, held in Columbus, Ohio, December 20, 1941, was called by Industry Representative John F. Patt, WGAR, Cleveland. It resulted in an outstanding program of cooperation between broadcasters and educators, which is already proving itself.

Next followed a meeting of upper New York educators in Syracuse, called by Industry Representative Col. Harry C. Wilder, WSYR, January 3, 1942; with a meeting of metropolitan New York educators next day in New York City.

This session was also attended by New Jersey educators. Parker H. Daggett, dean of engineering, Rutgers University, and M. A. Chaffee, associate director ESMDT, Rutgers promised a minimum of 100 courses in New Jersey. These courses with over 2,000 students were established in the record time of three weeks.

W. T. Spivey, state coordinator for eastern Pennsylvania and Delaware, arranged for a meeting of educators in Philadelphia on January 15.

A meeting of Massachusetts educators, called by E. E. Hill, WTAG, Worcester, industry representative, and promoted by Roy C. Harlow, Yankee Network, and Harold E. Fellows, WEEI, was also held in Boston on February 7. It was attended by 21 of the 23 Massachusetts stations. These organization sessions were attended by the Director and Lynne C. Smeby, director of engineering. Lieut. Comdr. Lewis Lee of the Bureau of Navigation made the trip to Syracuse and New York City.

Technical men from broadcast stations are sharing the teaching load that descended on the formal educators. The number of men so engaged should increase in the future since adequately trained teaching personnel is a bottleneck. Stations are also helping by contributing classroom space and equipment resulting in lower costs to the government. This was pointed out in a letter from Prof. Sorensen, California Institute of Technology, southern California coordinator.

> ". . . You will be interested to know that we have been able to show a considerable reduction in cost . . . some saving has been made because certain high schools and Columbia Broadcasting System are contributing space rent free; and some of the high schools are paying part of the instructors' salaries as their contribution.
>
> "In this connection, may I say that I am sure you would be delighted if you could go with me as I visit the classes and note the fine calibre and sincere purpose of the young men taking the course. Already a considerable number have applied for enlistment in the Signal Corps Reserve."

The tabulation in Exhibit D includes most of the broadcast engineers and engineers in allied lines engaged in teaching radio courses. An equally large number assisted in organizing classes.

EXHIBIT D

RADIO MEN TEACHING RADIO CLASSES

ALABAMA

Vernon Story, WHMA, Anniston; Francis J. Murphree, WSGN, Birmingham; Thomas J. Kelley, WAPI, Birmingham; Paul Cram, WSGN, Birmingham; G. P. Hamann, WBRC, Birmingham; Therald E. Cody, CAA, Dothan; John H. Tharp, WJBY, Gadsden; Wilton H. Pollard, WBHP, Huntsville; Harold L. Mitchell, Mitchell Radio Service, Mobile; Sergt. Joseph W. Perry, U. S. Army, Maxwell Field; Homer Ray Johnson, WCOV, Montgomery; Clifford I. Shelkofsky, WSFA, Montgomery; Raymond T. Garlington, Ala. Power Co., Selma; Frank Bobulski, U. S. Army; William Dale Fritz, U. S. Army; Aubra E. Tilley, Coosa River Ord.

ARKANSAS

Ewing Canaday, KELD, El Dorado; Jewell Warren, KFFA, Helena; Harrison C. Mondy, KLRA, Little Rock; John L. Thompson, KOTN, Pine Bluff; Hugh Lineback, KUOA, Siloam Springs; Bob Pinson, KWFC, Hot Springs.

CALIFORNIA

Jerome Beranek, CBS, Hollywood; William Rambo, KIEM, Eureka; Alvor Olson, KIEM, Eureka; Ralph Kennedy, KQW, San Jose.

COLORADO

George Anderson, KOA, Denver; Byron Brummer, Mt. States Tel. & Tel. Co., Denver; William Stanley Neal, KOA, Denver; Joseph H. Rohrer, KOA, Denver; George Pogue, KFKA, Greeley; Kenneth Cooper, KPDG, Greeley (Police); William Bilsborrow, KFKA, Greeley; Philip Gundy, KGHF, Pueblo; Robert Littlejohn, Pub. Serv. Co., Grand Junction.

CONNECTICUT

Kirby B. Austin, Gen. Elec., Bridgeport; Henry Geist, NBC, Bridgeport; Robert N. Ferry, WTIC, Hartford; Merman Goodstine, WNBC, Hartford; Kenneth A. McLeod, WDRC, Hartford; Edwin R. Sanders, WTIC, Hartford; Carleton F. Noyes, WTIC, Hartford; John C. Moore, Jr., WNLC, New London; F. E. Handy, Am. Radio Rel. Lea., W. Hartford; George Grammer, Am. Radio Rel. Lea., W. Hartford; Sidney Warner, State Police, Hartford.

GEORGIA

James Hudson, WLAG, La Grange; R. A. Starr, WRGA, Rome; Charlie C. Williams, WRGA, Rome.

IDAHO

Ver Cox, KTFI, Twin Falls; H. W. Toedtemeier, KIDO, Boise.

ILLINOIS

E. L. Plotts, WBBM, Chicago; Joseph F. Novy, WBBM, Chicago; F. E. Leslie, WGN, Chicago; A. G. Bodoh, Underwriters Labs., Chicago; Leonard H. Horn, Underwriters Labs., Chicago; George J. Maki, WIND, Chicago; Verner Hansen, Underwriters Labs., Chicago; Paul J. Moore, NBC, Chicago; George M. Ives, WMAQ, Chicago; Raymond G. Wells, Underwriters Labs., Chicago; Harold S. Renne, Underwriters Labs., Chicago; G. R. Dickson, WDAN, Danville; T. C. Cameron, WROK, Rockford; M. H. Nelson, WROK, Rockford; A. J. Ebel, WILL, Urbana.

INDIANA

Fay Gehres, WGBF, Evansville; Alva Smith, WOWO, Ft. Wayne; Charles Sprague, WOWO, Ft. Wayne; Paul Luecke, WOWO, Ft. Wayne; Bruce Ratts, WOWO, Ft. Wayne; Glenn Thayer, WOWO, Ft. Wayne; Thomas Copeland, WOWO, Ft. Wayne; Millard Gannon, RCA Mfg. Co., Indianapolis; Herbert Edson, Jr., WISH, Indianapolis; Keron C. Morrical, RCA Mfg. Co., Indianapolis; John Boyers, WHAS, Louisville, Ky.; D. D. Summerford, WHAS, Louisville, Ky.; Bernard Holtman, WAVE, Louisville, Ky.; R. Townsley, WBAA, Lafayette; Louis Williams, WHAS, Louisville, Ky.; Joseph Fox, WHAS, Louisville, Ky.; Walter Quinn, WHAS, Louisville, Ky.; Roy R. Robinson, Ind. & Mich. Elec., Notre Dame; Roy R. Ryan, Ind. & Mich. Elec., Notre Dame; Claude Harris, WAOV, Vincennes; Curtis VanHoy, Public Service Co., Vincennes; James Doyle, Public Service Co., Vincennes; Austin Curry, Ind. St. Police, Indianapolis; J. Leonard Montgomery, P. R. Mallory & Co., Indianapolis; Leonard Tulauskas, P. R. Mallory & Co., Indianapolis.

IOWA

Gilbert Andrew, KROS, Clinton; David G. Sinclair, KVFD, Fort Dodge; Carl Menzer, WSUI, Iowa City; Leo W. Born, KGLO, Mason City; Wayne Hatchett, KBIZ, Ottumwa; Eugene Peak, KFJB, Marshalltown; Walter M. Ely, KMA, Shenandoah; Alvin H. Smith, KSCJ, Sioux City.

*KENTUCKY

Clarence Weaver, WCMI, Ashland; O. W. Towner, WHAS, Louisville; W. N. Smith, WHAS, Louisville; L. G. Hewett, WHAS, Louisville; William Blanton, WHAS, Louisville; J. C. Gardner, WAVE, Louisville; Bruce Heick, WHAS, Louisville; C. R. Waxler, Ken-Rad Tube & Lamp, Owensboro.

* Other Louisville engineers listed under Indiana.

LOUISIANA

Francis Jacob, WWL, New Orleans; Edward Dutrell, WWL, New Orleans; J. D. Bloom, WWL, New Orleans; O. L. Morgan, KMLB, Monroe.

MAINE

Jack Atwood, WRDO, Augusta; Leslie Hall, WCOU, Lewiston; Rodger W. Horgkins, WGAN, Portland.

MARYLAND

Daniel O. Hunter, WRC, Washington, D. C.

DETROIT

L. R. Conrath, Power Equipment Co., Detroit; Stanley C. Polk, Philco Transitone Div., Detroit; Kenneth Stecker, Stecker Elec., Detroit; F. A. McPhillips, WJR, Detroit; L. R. McDonald, Mich. Bell Tel., Detroit; C. W. Jones, WJR, Detroit; Carl Lee, WKZO, Kalamazoo.

MINNESOTA

Julius Hetland, WDAY, Fargo, N. D.; Maurice Reutter, KWNO, Winona.

MISSOURI

L. A. Mollman, Union Elec., St. Louis; J. S. Malsbary, Wagner Elec., St. Louis; T. L. Jones, S. W. Bell Tel., St. Louis.

NEW JERSEY

Herbert J. Carlin, Westinghouse Elec., Newark; Robert W. Clark, NBC, New York City; Francis M. Cotter, WHOM, Jersey City; Harry F. Dart, Westinghouse Elec., Bloomfield; Earl R. Englund, Bell Tel. Labs., Holmdel; Christopher J. Franks, Boonton Radio Corp., Boonton; Edwin A. Goldberg, RCA Labs., Camden; Cornelius R. Guinee, Cornell Dubilier, Plainfield; Cecil E. Haller, RCA Mfg. Co., Harrison; Arthur W. Hankins, Jersey Cen. Pr. & Lt., Asbury Park; Fred W. Huff, RCA Mfg. Co., New York City; Robert B. Janes, RCA Mfg. Co., Harrison; Dwayne W. Jensen, RCA Mfg. Co., Camden; Ernest R. Jervis, Tung-Sol Lamp Works, Newark; Eugene O. Keizer, RCA Mfg. Co., Camden; Harry Kihn, RCA Mfg. Co., Camden; Lawrence L. Lyford, Jersey Cen. Pr. & Lt., Asbury Park; Earl C. McMahon, Public Serv., Jersey City; Henry A. Nearing, Public Serv., Jersey City; Edward G. Outlaw, Public Serv., Elizabeth; Ambrose J. Petzinger, Westinghouse Elec., Newark; Robert Reed; Jersey Cen. Pr. & Lt., Asbury Park; Robert E. Shelby, NBC, New York City; Cyrus D. Samuelson, WOR, New York City; Walter L. Shepard, Cornell Dubilier, Plainfield; Glenn Sheppard, RCA Mfg. Co., Harrison; Theodore W. Stauber, Am. Transformer Co., Newark; Eugene V. Thatcher, Western Elec., Kearny; Milton S. Umbenhauer, Atlantic City Elec., Atlantic City; John E. C. Valentine, Bakelite Corp., Bound Brook; Vincent S. Wagner, Ajex Electrothermic, Trenton; Allen A. Walsh, NBC, New York City; Arthur K. Wing, Jr., RCA Mfg. Co., Harrison; Winfield G. Bjornson, Cornell Dubilier, Plainfield; Theodore J. Cain, RCA Communications, New Brunswick; Russell K. Forsyth, RCA Communications, New Brunswick; John E. Fox, Westinghouse Elec., Bloomfield; Rolf K. Hansen, Federal Tel. Co., Newark; Donal P. Heritage, Signal Corps Labs., Ft. Monmouth; William A. Huber, Signal Corps Labs., Ft. Monmouth; William M. Robinson, Cornell Dubilier, Plainfield; Marion T. Whiting, Public Serv., Irvington; Anthony S. Rura, Western Elec., Kearny; Elmer M. Adkins, Jersey Cen. Pr. & Lt., Asbury Park; Albert L. Ayres, N. J. Bell Tel., Trenton; Fred L. Bartman, Westinghouse Lamp., Bloomfield; John F. Betz, Public Serv., Irvington; Herbert J. Carlin, Westinghouse Elec., Newark; Austin C. Fort, Jersey Cent. Pr. & Lt., Morristown; Edmund Osterland, Ballentine Labs., Boonton; Dolph Wappler, Public Serv., Newark.

NEW YORK

Michael Yonkovig, WWNY, Watertown; Jack Nazha, WMFF, Plattsburg; John Burke, WKIP, Poughkeepsie; Karl B. Hoffman, WKBW-WGR, Buffalo; Edwin Fleischmann, Buffalo Niagara Elec., Buffalo; George E. James, Gen. Elec., Schenectady; Edwin J. Jackson, Gen. Elec., Schenectady; Sidney Godet, Gen. Elec., Schenectady; Armand Belle Isle, WSYR, Syracuse; Robert Murphy, WSYR, Syracuse; William Ott, N. Y. Tel. Co., Syracuse; Paul F. O'Neill, Cent. N. Y. Pr. Corp., Syracuse; Clyde B. Utter, Utter Elec. Co., Oneonta; Everett A. Wilson, N. Y. St. Gas & Elec., Geneva.

NORTH CAROLINA

E. P. Mallard, WSOC, Charlotte; Robert Van Sleen, WQNZ, Gastonia; E. S. Long, WHKY, Hickory; Robert Moore, WMFR, High Point; R. A. Dunlea, WMFD, Wilmington.

NORTH DAKOTA

E. J. O'Brien, KFJM, Grand Forks.

OHIO

J. S. Maxon, Triplette Elec. Instr., Bluffton; James Hollis, WLW, Cincinnati; F. G. Everett, WTAM, Cleveland; W. G. Hutton, WGAR, Cleveland; Jos. Dobosy, WHK-WCLE, Cleveland; G. R. Frost, Ohio Bell Tel., Cleveland; K. S. Sherman, WGAR, Cleveland; R. Ostrander, WHK-WCLE, Cleveland; J. S. Hill, WHK-WCLE, Cleveland; Marion Snedeker, WHK-WCLE, Cleveland; Dean Christian, Brush Dev. Co., Cleveland; J. T. Vaugh, Elec. Controller, Cleveland; R. C. Higgy, WOSU, Columbus; D. E. Fritz, Westinghouse Elec., Lima; Marvin Myers, WPAY, Portsmouth; W. M. Stringfellow, WSPD, Toledo; Ed. Goon, WSPD, Toledo; W. V. Gorton, Westinghouse Elec., Toledo; Maurice Meyers, WPAY, Portsmouth; James L. Hollis, WLW, Cincinnati; Lester Nafzger, WBNS, Columbus; William Hutton, WTAM, Cleveland; Price Fish, WHK, Cleveland.

OKLAHOMA

Duane W. Hoisington, KBIX, Muskogee; Jack Grant, Radio Club, Ardmore.

PENNSYLVANIA

R. G. Hayes, Penn. Edison Co., Altoona; S. F. Harkins, Bell Tel. of Pa., Altoona; Clifford Gorsuch, WISR, Butler; Herbert M. Wallace, Penn. Pr. & Lt., Hazleton; W. H. Eckert, Westinghouse Elec., Pittsburgh; H. R. Kaiser, WWSW, Pittsburgh; D. A. Ferguson, Wilkes-B.-Wyo. Valley Airport.

RHODE ISLAND

H. H. Tilley, WEAN, Providence.

SOUTH CAROLINA

DeLeon Finklea, Finklea Radio Supply, Florence.

TEXAS

M. F. Noster, S. W. Bell Tel., Corpus Christi; Roy Flynn, KRLD, Dallas; Olin Brown, WFAA, Dallas; D. W. Tucker, WRR, Dallas; Cecil Ross, Graybar Elec., Dallas.

UTAH

J. W. Christensen, KSL, Salt Lake City; S. W. Pixton, Mt. States Tel. & Tel., Salt Lake City.

VIRGINIA

W. L. Braum, WSVA, Harrisonburg; Julius L. Grether, WTAR, Norfolk; W. R. Selden, WRNL, Richmond; Lieut. W. W. McLain, Norfolk; Robert H. Smith, WOPI, Bristol, Tenn.-Va.

WASHINGTON

Melvin Herr, KOMO-KJR, Seattle; E. C. Carter, KIT, Walla Walla; James Johnson, Northern Radio, Seattle.

WEST VIRGINIA

A. J. Ginkel, WJLS, Beckley; P. T. Flanagan, WHIS, Bluefield; Odes Walker, WCHS, Charleston; Conrad S. Slemans, WBLK, Clarksburg; John L. Yarnes, WLOG, Logan; W. A. Sodaro, WPAR, Parkersburg; Louis Tulchin, WBRW, Welch; Glenn G. Boundy, WWVA, Wheeling.

WISCONSIN

Thorwald Jorgensen, Police Radio, Chippewa Falls; Paul W. Holton, WCLO, Janesville; John H. Stiehl, WHA, Madison; Norman Hahn, WIBA, Madison; W. E. Duben, WOMT, Manitowoc; Ross Hansch, WIBU, Poynette; Francis L. Dechant, WRJN, Racine; G. L. Davidson, WRJN, Racine; R. S. Pearson, WJMC, Rice Lake; Herbert J. Mayer, WHBL, Sheboygan; Randolph Luukinen, WDSM, Superior-Duluth.

WYOMING

Paul Huber, KFDN, Casper; William C. Grove, KFBC, Cheyenne; Lyle C. Tyler, KPOW, Powell; R. F. Crossthwaite, KWYO, Sheridan.

ARMY AND NAVY RADIO NEEDS WOMEN

As an indication of the urgent need for radio people there are civilian jobs for women now open in the Army and Navy. The latter requires women amateur operators in one classification; and women with degrees in electrical engineering or physics in another.

The Army Signal Corps will employ skilled women code operators.

Respectfully submitted,
Arthur Stringer,
Director of Promotion.

May 1, 1942.

Coordinator of Listener Activities

During 1941-42, as part of NAB Public Relations Division, Mrs. Dorothy Lewis increased her activities both as Vice-President of the Radio Council on Children's Programs and as a representative of NAB. In April, Mrs. Lewis was appointed "Coordinator of Listener Activities."

Among the organizations addressed by her have been—American Library Association; Nebraska Federation of Women's Clubs; Association for Education by Radio; Regional Conferences and Annual Congress of the National Society of New England Women; Southern California Federation of Women's Clubs; Boston Federation of Women's Clubs; Audio-Visual Conference at Baylor University; New York Times Conference—"Children in War Time"; General Federation of Women's Clubs Radio Department; FREC Conference on Children's Programs; Radio Councils in Cleveland, Minnesota, Portland, Oregon, Nashville, Cedar Rapids, Seattle, Birmingham, Davenport, Rockford, Schenectady, Fresno, Louisville, Philadelphia, Western Massachusetts, Salt Lake City and NAB District Meeting at Dallas, Texas.

During 20,000 miles of travel through 27 states 50 radio conferences were held under the title "Radio in the Community" at which representatives of all club civic and educational groups attended. Thirty thousand copies of "Broadcasting to the Youth of America" were distributed. Effort was made to have radio's many sided story told by leading broadcasters and those laymen using radio locally. These conferences were a "first" in radio history and indicate potentialities for all stations and communities along this line of approach.

A number of resolutions and recommendations were passed by state groups calling for full and open hearings by Congress on all issues pertaining to FCC regulations and rules imposed on the radio industry.

A large correspondence and administrative work has developed as a result of past promotion. The result is a growing understanding on the part of the listeners to their responsibility and comprehension of radio's great contribution and problems. Several handbooks "Radio Patterns for Public Relations" are in process of creation.

Broadcasters had occasion to cooperate with local councils in Minnesota and Omaha during the past year. Several broadcasters have addressed state and national meetings of lay organizations.

A very favorable generous press help the promotion of these activities.

One direct result of Radio Council development is the series of meetings held at the 1942 Cleveland NAB Convention. Outstanding speakers addressed an audience composed of broadcasters and listeners, guests of NAB and the Radio Council of greater Cleveland. This event makes another "first" in radio history and indicates a trend toward the day when the listener element in American radio will be dignified and become an integral part of its democratic process.

Respectfully submitted,
(Mrs.) Dorothy Lewis,
Coordinator of Listener Activities.

May 1, 1942.

Department of Broadcast Advertising

Activities of the Broadcast Advertising Department during the past year have centered around the NAB Sales Managers Division objectives of "making it easier for more clients to buy more time on more stations," and of elevating radio sales standards "to take the burden of sales off owners and managers who are concerned with other industry problems."

The Department has recognized that for a perpetuation of free radio in this nation, despite the ramified tribulations of a harassed industry and the new complications of wartime problems, maintenance of income is paramount. Blessed with a measure of cooperation from all quarters that left little to be desired, the Department therefore concentrated on the elevation of radio sales standards, maintenance of good business practices and ethics, and a regular supply of practical radio sales helps to members.

Of great value in furthering this work was the NAB Sales Managers Executive Committee, consisting of Eugene Carr, WGAR, chairman; John M. Outler, Jr., WSB, representing large stations; E. Y. Flanigan, WSPD, representing medium stations; Dietrich Dirks, KTRI, representing small stations; Arthur Hull Hayes, WABC, representing CBS; George Frey, representing NBC; Fred M. Thrower, Jr., representing The Blue Network, and Linus Travers, WAAB, representing Mutual-affiliated stations.

Likewise of great assistance were the Sales Managers Chairmen of the 17 NAB Districts:

William Malo, WDRC, District 1
Charles F. Phillips, WFBL, District 2
John E. Surrick, WFIL, District 3
John H. Field, Jr., WPTF, District 4
John M. Outler, Jr., WSB, District 5
H. Vernon Anderson, WJBO, District 6
William I. Orr, WBNS, District 7
J. B. Conley, WOWO-WGL, District 8
James F. Kyler, WCLO, District 9
Sam H. Bennett, KMBC, District 10
Thomas G. Gavin, WEBC, District 11
Ellis Atteberry, KCKN, District 12
Jack Keasler, WOAI, District 13
W. E. Wagstaff, KDYL, District 14
Wilt Gunzendorfer, KSRO, District 15
Charles A. Storke, KTMS, District 16
Harvey Wixson, KHQ-KGA, District 17

Following is a brief summation of activities undertaken by this Department:

DISTRICT MEETINGS. The Director attended 17 meetings in 16 NAB Districts during the year, and in cooperation with the Sales Managers Chairman conducted a session on "Industry Sales Problems" varying from two hours to a full day.

"MANUAL OF RADIO ADVERTISING." To furnish member stations with a compilation of basic radio sales data, six chapters and an index were published and distributed to members, with additional copies available at cost. Subjects covered were "Why Business Must Advertise," "The Extent of Radio Listening," "The Effectiveness of Radio," "Dealers Prefer Radio," "Radio as a Social Force," and "What Price Radio?" Material for additional chapters is being gathered, as the Department's objective is to make the Manual complete and keep it up to date.

"RESULTS FROM RADIO." This series of trade studies was continued, with releases to member stations on Drug Products, Participating Programs, Musical Instruments, Jewelry, Morticians, Drug Stores, and Theatres.

CASE HISTORIES. A classified file containing hundreds of separate radio case histories on all classifications of business was developed through the cooperation of member stations, with mimeographed copies always freely available to NAB members.

"BROADCAST ADVERTISING RECORD." The Department cooperated with the NAB Department of Research in producing and interpreting to sales managers the reports submitted by stations to the Record.

SUMMARY TABLES. Details of radio sponsorship in various business classifications were compiled from "The Broadcast Advertising Record" and made available to sales departments. Included were summary tables on Department Stores, Grocery Stores, Insurance Companies, Hotels & Restaurants, Real Estate, Musical Instruments, Railroads, and Bus Lines, all for general release, plus special tabulations on request.

THE BUSINESS OUTLOOK. The Department attempted to keep members currently informed on business conditions and the business outlook in relation to radio advertising. This was accomplished by frequent summaries in the weekly membership bulletin plus special studies when warranted. Among the latter were "The Effect of Priorities on Radio Advertising," issued in September, 1941, and "Wartime Radio Advertising," issued February 1, 1942.

REPRINTS. Notable articles or speeches by advertising authorities were reprinted for free distribution to members. Among these were "Radio Advertising for Savings & Loan Associations," "Radio and the Industrial Banker" by Craig Lawrence, "Advertising Is Essential to the Proper Growth of the Nation and Its People" by Richard L. Deupree, "Blood, Tears and Advertising" by Ellen Hess, "They Don't Seem to Believe Us" and "New Check-List of FTC Taboos," "The Radio Salesmanager's Job in Wartime" by Eugene Carr, "Filene's Discovers the Power of Radio," "American Paradox," "Dressing on Your Salad," the AFA "Guide for Wartime Advertising," "Advertising's Work in a Seller's Market," "Advertising—The Facts About Attacks on It, Its Economic Functions, Its Indispensability, and What To Do About It," "Planning Today for Post-War Business" by Colonel Willard Chevalier, and "Increasing the Tune-In" by Walter J. Neff.

COOPERATION WITH GOVERNMENT AGENCIES. Within the scope of its functions, the Department represented the interests of the NAB membership through cooperation with such governmental agencies as the Federal Trade Commission, the Treasury Department, the Office of Facts and Figures, the Department of Commerce, the Bureau of the Census, the War Department, and others, as well as with subdepartments and semi-official agencies.

COOPERATION WITH OTHER GROUPS. Special efforts were made throughout the year in the interests of commercial radio to cooperate with and enlist the active support of such organizations as the American Association of Advertising Agencies, the Association of National Advertisers, the National Retail Dry Goods Association, the Advertising Federation of America, the Associated Merchandising Corporation and the Retailers Research Association, the American College Publicity Association, the Radio Executives Club, the Financial Advertisers Association, the American Industrial Bankers Association, the Retail Reporting Bureau, etc. Besides correspondence and consultations with these groups, the Director participated in two conventions each of the AAAA and ANA, addressed the national AFA convention and a district convention, participated with the Sales Managers Executive Committee in a panel on radio advertising for department stores at the national NRDGA convention and arranged for that group to conduct a similar panel at the NAB convention as well as to conduct a nationwide survey of radio advertising among NRDGA members, addressed a national convention of ACPA, with the Executive Committee put on a luncheon program for the Radio Executives Club and held two meetings with a committee of that organization to work out mutual problems, and arranged for NAB representation and radio presentations at other conventions.

STANDARD SCHEDULE FORMS. As a result of discussions with a committee of time buyers from the Radio Executives Club, standard program schedule forms were drawn up and printed in quantity, and made available to NAB members at cost, in the interests of "making it easier to buy radio." To date, 250,000 of these schedule forms have been ordered by member stations.

RATE CARD SIMPLIFICATION. Similarly, recommendations for simplifying radio rate structures were passed on to the industry, with cooperation from *Radio Advertising Rates and Data;* the single-rate structure was advocated where feasible, and a uniform definition for the application of general and retail rates was adopted.

COVERAGE MAPS. Recommendations for standard formulae and procedure in preparing coverage maps were given the industry, and further cooperation on this subject is being secured from the NAB Research Committee.

STANDARD CONTRACT FORMS. A special radio committee consisting of Eugene Carr, WGAR; R. E. Dunville, WLW; and Herbert L. Pettey, WHN, negotiated a new standard contract form with a committee representing advertising agencies. This form is now awaiting approval by the NAB Board of Directors.

SALES CONTACTS. The Department carried on a general radio sales campaign within the limits of time available for this work, and with the cooperation at times of network sales departments, national spot representatives and individual member stations. Through personal calls and direct-mail, such sales work was directed to a variety of clients including motion picture producers, department store chains, automotive and tire manufacturers, circuses, appliance manufacturers, the Washington State Apple Commission, the National Dairy Council, etc. Some encouraging progress and increased radio billings were noted.

SPECIAL SALES MANUALS. Radio sales data was produced in special manual form in several fields, such as "Radio Sells Sporting Goods," "Savings & Loan Associations—On the Air!" "Radio Advertising for Financial Institutions," and "Public Relations and Sales Manual."

SPECIAL STUDIES. New techniques or findings with an application to commercial radio, developed either by NAB members or others engaged in advertising, were passed on to the membership. Typical of these were "Effective Retail Selling," by Bruff W. Olin, Jr., WKIP, and "How to Improve Commercials," by Horace Schwerin.

TRADE PAPERS. Special articles on various phases of radio advertising were contributed by the Director to trade publications, or secured from outside sources and guided to publication.

TALKS. During the year the Director spoke on commercial radio topics before the national AFA convention in Boston, a district AFA convention in Tulsa, the Columbus, Ga., Rotary Club, the Atlanta Advertising Club, the Omaha Advertising Club, the Hartford Advertising Club, the Worcester Advertising Club, the Advertising Club of Los Angeles, the Denver Advertising Club, the Radio Executives Club of New York, the NRDGA convention in New York, and the ACPA convention in Columbus, Ohio. Several talks were broadcast over single stations and regional hook-ups.

DEALER-COOPERATIVE STUDY. The Department was directed by the Sales Managers Division at the St. Louis NAB convention to conduct a nationwide study on dealer-cooperative advertising. This was completed during the year with the assistance of the NAB Department of Research, and distributed to cooperating members.

MERCHANDISING SURVEY. Similarly, a nationwide radio merchandising survey was authorized and completed, with the results published and distributed to all members.

CHECKING SERVICES. Commercial checking services were investigated as a potential threat to radio billings, and a confidential report was issued in a special bulletin to all U. S. radio stations irrespective of NAB membership. Check-systems were devised and recommended whereby stations could perform with a maximum of commercial efficiency, and an educational campaign was carried on among agencies and clients, informing them of the steps taken by broadcasters to insure proper performance.

STATION PERFORMANCE SURVEY. A test survey of representative stations was conducted during the month of February, 1942, by WSB, 50,000 watts; WSPD, 5,000 watts; and KTRI, 250 watts, showing radio station performance on commercial broadcasts of all types to be 99.38% satisfactory, with a "predictable margin of error" of .0062, and with such errors satisfactorily reported to clients and adjusted. This survey was given to all members, and additional wide distribution in advertising circles was obtained.

ARMY PROGRAMS. Cooperating with the Radio Branch, Bureau of Public Relations, War Department, a survey was made of programs originating at Army camps and commercially sponsored.

PER-INQUIRY, FREE TIME. A constant educational campaign was carried on among radio stations, advertising agencies and clients, to discourage attempts to misuse the radio medium with unwarranted requests for free time or attempts to break down legitimate rate structures. The industry attitude was explained to every offending agency or client, and NAB members were kept informed through the weekly NAB Reports.

SPECIAL PROBLEMS. Through daily correspondence with member stations, assistance was given on special problems involving commercial broadcasting and sales helps were given when requested. During the year, such individual requests from members showed an increase of approximately 400% over the previous year.

MISCELLANEOUS. Alleged double-billing practices of newspapers were investigated and referred to the ANPA; statements from the ANA opposing special newspaper editions or sections were distributed to members; cooperation was extended to special NAB committees working on such matters as Daylight Saving Time, the proposed Federal Time Sales Tax and the Sanders Bill; evidence was gathered on the value of Saturday time for commercial broadcasting; problems of handling commercial mail were considered and a standard contract clause was recommended; a cash discount was opposed, as well as the allowance of agency commission to clients on business placed direct.

The whole-hearted cooperation received throughout the year from all other NAB staff members is noteworthy. Without their valued assistance, as well as the support of the Executive Committee, the Board of Directors, the Sales Managers Committee, the Code Committee and the Research Committee, the year's program would undoubtedly have been materially curtailed.

Respectfully submitted,

Frank E. Pellegrin,
Director of Broadcast Advertising.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 20, May 22, 1942

War Program Tips

Uncle Sam needs nurses—and is going to need plenty more. The Army, the Navy, war factories, as well as communities throughout the country, are running short. The OFF has sent you information and background for spot announcements and programs on a campaign to be started by the Federal Security Agency to urge American girls to enter the career of nurses. The campaign is to start May 25 and will have an AA priority rating from the OFF. Give it your wholehearted support.

President Roosevelt has designated June 14 as United Nations Day instead of just Flag Day as usual. There is none too much time to get ready for the special programs, salutes, musical numbers to be included in musical shows, dramatizations, etc. The OCD is sending local stations an especially written 15-minute United Nations Day script which also can be used.

Just who are the United Nations?

The joint declaration of the 26 United Nations was signed in Washington on January 1, 1942. These are the United Nations: the USA, Great Britain, Russia, China, Australia, Belgium, Canada, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, Costa Rica, Cuba, Czechoslovakia, El Salvador, Greece, Guatemala, Haiti, Honduras, Dominican Republic, India, South Africa, and Yugoslavia.

Stations with large communities from one or more of these United Nations might well consider special programs along that line.

Here are several ideas which the OFF suggests broadcasters should keep in mind in presenting the case for the United Nations on that day.

1. All the United Nations are fighting in a common cause:

a. Against brutality, slavery and international gangsterism.
b. For freedom and a better post-war world.

2. The United Nations idea is the only way we can win the war and win the peace—no country can do it alone.

a. Enemy propaganda seeking to make us distrust our Allies must be met by the truth about what each of the United Nations is doing in the common cause.

3. Victory is certain if we hold fast to the United Nations idea because:

a. We have the manpower.
b. We have the resources.
c. We can fight.

Sunday, June 2, is the anniversary of the death of the great Italian patriot, Garibaldi. The Mazzini Societies, the Democratic Italian American groups, will have special observances on that day. It is a splendid occasion to observe the fact that there are many freedom-loving Italians who are working for our victory, and who look for the overthrow of Fascism.

Mr. George Burbach of the St. Louis Post Dispatch and Station KSD has made an interesting suggestion which has proven successful on his station.

When important news announcements are received on press radio wires for release after a certain hour, the station makes spot announcements during the intervening period telling people to be sure and listen for an important news announcement at or after the release hour. In this way they build up a listening audience for important news. Naturally, they observe the release instructions and do not give the news itself until the stated hour.

A lady from Gallatin, Tennessee, in a very friendly letter, tells NBC that she doesn't think radio as yet has done as good a job as it can to collect all the old scrap metal that's lying around back of the barn out on the farm. Here is what she said:

"In view of the fact that there is still a need for metals and other scrap, I believe the radio can do much to relieve this shortage. In the community where I live most of the farms are as yet untouched by the 'drives' for metal. The majority of the families take no daily paper. They are not mentally equipped to understand the references to metal shortages that they hear on the radio. Many gullies are filled with tin scrap on their farms. But I can reach only a very few. You can reach practically all of them. Make your campaign as intensive as the drive for buying defense stamps. Make it as simple as if you were dealing with children. In many cases it will be the children who respond. Farmers are too busy. Urge the necessity of getting up scrap *now*. Farmers are inclined to do the most pressing job first. And keep at it! Farmers can listen to the radio only a small part of each day. Farmers' wives go about their work while the radio runs.

"The 'drive' must be so simple and plain that it catches their attention even while they clean up the children, wash dishes, etc. It must be simple enough for people with no education to understand, and tell to the neighbor who has no radio.

"If you can do this I truly believe you will get metal. I know there is still metal to be gotten from farms."

THE CONVENTION

Broadcasting, Radio Daily, Variety, and other trade publications so completely and excellently reported the NAB's Cleveland convention that no effort to duplicate this service will be made in the *NAB Reports.*

In this issue will be found the names of the new Board of Directors, the text of the resolutions adopted, and other matters "for the record."

Also in this issue are the texts of the talks by Archibald MacLeish of the OFF, and Byron Price of the Office of Censorship. Other speeches will be printed later, either in the *Reports* or in pamphlet form.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

Sanders Bill Hearings

The House Interstate Commerce Committee, after Thursday's hearing on the Sanders Bill, recessed the hearing until Tuesday, June 2, at 10 a. m., at the request of Chairman James Lawrence Fly of the FCC. Mr. Fly had been slated to testify Friday, May 22.

The newspapers and clear-channel groups expressed their views this week with resumption of hearings on the Sanders Bill before the House Committee on Interstate and Foreign Commerce. Harold Hough, WBAP, Chairman of the Newspaper-Radio Committee, and Judge Thomas D. Thacher and Sydney M. Kaye, counsel, appeared for the newspaper group. All attacked Order No. 79 as beyond the powers of the FCC.

Willing to "stand pat on the present law for the purposes of the newspaper hearings," Mr. Hough stated that he would recommend any language in the law necessary to make it specifically clear that there shall be no discrimination on account of occupation or class —"even if you have to put it in capital letters."

Taking up first the number of newspaper stations, Mr. Hough pointed out that from the figure of 298 introduced by the FCC staff at the opening of the Newspaper-Radio hearings, it finally developed after spending most of last summer and fall before the Commission that newspapers or newspapermen actually have majority interests in 201 stations, and 32 of these are located in cities and towns other than where the newspaper itself is printed. Because the hearings show that "there was considerable viewing with alarm this matter of monopoly of communications facilities," he said, these 32 out-of-town stations should not have been considered, leaving 169 as "the backbone of the newspaper-associated stations."

"We had never thought that as newspaper folks that the time would ever come when we would be singled out for such treatment from any other class," Mr. Hough said, "but we were."

Coming to his main point Mr. Hough said: "I think our proposition is a very simple one and really has nothing to do with the extent of newspaper association. We contend that the Federal Communications Act requires that no licenses should be issued unless the public interest, convenience and necessity will be served by the grant. And if the applicant satisfies the Commission that he will serve the public interest, convenience and necessity, the law of Congress says that he is entitled to a license unless he is an alien or has been convicted of a crime. And that goes regardless of his race, color, creed or occupation. And right here I might add that the classing of newspaper people in the category of aliens and felons doesn't make any of us very happy. While they do not say that we are such, they are at least looking us over to see if we might be in the same class."

Stating that there are 74 communities where the only radio station is controlled by the only daily newspaper, Mr. Hough stated that no evidence had been introduced to show that stations in these communities are in any way different on the basis of performance than stations owned by other economic interests. "I don't think I have to tell you gentlemen," he said, "that in a small community no editor, even if he edits the local daily newspaper all day and edits the local radio station all night, could keep the folks of that community from finding out the real facts. He couldn't monopolize truth. In the first place, the folks listen to other radio stations and they read other newspapers—newspapers printed in other communities."

"There has never been any evidence that these editors wanted to control everything on the reservation," Mr. Hough declared, "I doubt if some of them have as much vote getting influence as the local high school football coach."

Judge Thacher followed Mr. Hough on the stand and covered the legal phases of the newspaper-radio hearings and the Commission's power to discriminate against newspaper ownership of radio stations. He stated that the present law was perfectly clear that the Commission had no power to discriminate against newspapers or any other group as a class. The reenactment in the Communications Act of the standard "public interest, convenience or necessity" found in the Radio Act of 1927, and which had been construed by the courts, the administrative practice of the Commission right up to the time of the hearings, and the decision of the Supreme Court in the Sanders Brothers case, he declared, left no room for doubt.

Mr. Kaye reviewed the testimony presented at the hearings and concluded that he did not believe that the present language of the statute with respect to the power of the Commission was ambiguous.

He said that over two-thirds of the record of the case and more than two-thirds of the hearing time and exhibits was occupied by evidence presented by counsel for the Commission. This evidence he classified under four headings:

1—Evidence of newspaper practices and newspaper content as distinguished from evidence of radio station practice and radio program content.
2—Evidence as to the former press association practices.
3—Evidence as to the practices of newspaper associated broadcasting stations.
4—Testimony of general experts interested in the theory of restrictive legislation in this field.

Stating that the precise language of Order No. 79 and the statements of Chairman Fly are to the effect that the investigation is directed solely at future ownership, Mr. Kaye went on to say: "If this were the case, there would be two discriminations—one against newspapermen as a class, and one against newspapermen who have not yet acquired radio facilities as contrasted to those who already have licenses."

Both because of the practical aspects involved and because of the basic importance of the principle under consideration to American institutions, Mr. Kaye declared, newspapermen are unable to concur with the statement of Mr. Fly, made before the House Committee on Rules on March 18, that: "Newspaper stations that are presently operating are in a cozy position."

"If, however, either as a result of your own examination of the Act or as the result of your inquiry into the Commission's view of the scope of its hearings," he declared, "you believe that clarification would be useful, we will welcome the writing into the Act drawn by you of any language which would, for all time, make it clear beyond doubt that the Commission has no power to discriminate against newspapermen because of their calling. If, as I believe, the Congress is not interested in a proposal to discriminate against newspapermen or against any other group as a class, then I think that even more useful than the language of Section 7, subdivision 3, of the bill would be a categorical statement that no applicant shall be denied a license under any policy or rule of the Commission by reason of his status, occupation, religion, race, creed or calling, except as provided in the Act with respect to aliens and persons convicted of violation of law."

Appearing on Thursday, Victor Sholis, Director of the Clear Channel Broadcasting Service, urged FCC study of rural radio service, and freezing of the existing allocation structure until after the war is over and the study completed.

The challenge confronting Congress, the FCC and the radio industry in the post-war development of American broadcasting will involve atoning for the failure to spread the pleasures of radio equitably among all our people, Mr. Sholis declared, in urging an extensive governmental study of rural radio service.

"Though the (radio) allocation structure is frozen for the moment, I feel it is still mandatory upon us to think of the future. It is ironic that although American genius has created the finest system of broadcasting in the world, we have failed to spread the pleasures of that broadcasting equitably among all our people. There still are too many forgotten men, as far as radio listening is concerned, among rural and small town Americans.

"Probably the greatest challenge that will confront us in the post-war development of American broadcasting will be to atone for this failure. It is a challenge confronting Congress, the FCC and the industry. We cannot sit back thinking wishfully that it will be met by picking up where we left off on the day of Pearl Harbor. To the contrary, events over a period of several years prior to the war tended to deteriorate radio service to Rural America instead of improving it. . . ."

"An important, extensive and expensive study must be made, therefore, before any more clear channels are deteriorated, and before impairment of rural service proceeds any further. . . ."

"No serious damage will be done to radio if the allocation structure is frozen until victory in the war allows us to make the kind of comprehensive engineering study of rural service necessary to the drafting of an intelligent long-range plan. Grave danger can result, however, if the Commission continues to nibble away at the allocation structure and duplicates clear channels on a piece-meal basis."

TIRE RATIONING

So that necessary station employees will be in a position to demonstrate to local rationing boards the need for recaps or new tires and tubes, station operators are strongly urged, if they have not already done so, to conduct transportation surveys covering the transportation needs of all members of their staffs.

New tire rationing regulations are said to be in process of formulation, and may be released as early as June. They will clarify the standing of commercial radio broadcasting as an industry in support of the war effort, it is reliably reported, and will permit necessary men employed in radio to get new tires under certain circumstances. Local Rationing Boards will still require a showing of need by applicants, such as that no other reasonable means of transportation is available to the applicant in his work, it is said, hence the desirability of making these surveys at once.

Based on the survey, station operators should work out the minimum amount of vehicle mileage necessary to take care of the transportation requirements of all employees after coordinating transportation by all possible means, such as doubling up, use of station cars on pick-up service, etc. The survey should show what has been arranged to coordinate transportation, and the percentage of reduction of vehicle mileage resulting from the new traffic schedules made up as a result of the survey.

If each employee is given a copy of the survey and the new traffic arrangements worked out as a result, together with an accurate indication of the part his own passenger car is to play in the new set-up, he will be in a strong position to secure the necessary tire certificate from his Local Rationing Board. Stations that have not already done so are again urged to get this transportation survey under way at once, so that it may be of use as soon as possible.

NEW BOARD OF DIRECTORS

With the election of Directors-at-Large at last week's Cleveland convention; the action of the membership in approving the By-Law amendment admitting networks to active membership; and the consequent acceptance of active membership by the Columbia Broadcasting System, the NAB Board of Directors for the ensuing year is now complete. Following is the personnel:

District 1—Paul W. Morency, WTIC, Hartford, Connecticut
District 2—Kolin Hager, WGY, Schenectady, New York
District 3—Isaac D. Levy, WCAU, Philadelphia, Pennsylvania
District 4—G. Richard Shafto, WIS, Columbia, South Carolina
District 5—Frank King, WMBR, Jacksonville, Florida
District 6—Hoyt B. Wooten, WREC, Memphis, Tennessee
District 7—J. Harold Ryan, WSPD, Toledo, Ohio
District 8—John E. Fetzer, WKZO, Kalamazoo, Michigan
District 9—Edgar L. Bill, WMBD, Peoria, Illinois
District 10—John J. Gillin, Jr., WOW, Omaha, Nebraska
District 11—Earl H. Gammons, WCCO, Minneapolis, Minnesota
District 12—William B. Way, KVOO, Tulsa, Oklahoma
District 13—O. L. Taylor, KGNC, Amarillo, Texas
District 14—Ed Yocum, KGHL, Billings, Montana
District 15—Howard Lane, KFBK, Sacramento, California
District 16—Calvin J. Smith, KFAC, Los Angeles, California
District 17—Harry R. Spence, KXRO, Aberdeen, Washington

Directors-at-Large

Large Stations—Edwin W. Craig, WSM, Nashville, Tennessee; J. O. Maland, WHO, Des Moines, Iowa
Medium Stations—Don S. Elias, WWNC, Asheville, North Carolina; Eugene P. O'Fallon, KFEL, Denver, Colorado
Small Stations—Herbert Hollister, KANS, Wichita, Kansas; James W. Woodruff, Jr., WRBL, Columbia, Georgia
Network—Paul W. Kesten, CBS, New York, N. Y.

REVISED BY-LAWS

The revised By-Laws containing all of the amendments approved by the membership vote at Cleveland are now in the hands of the printer and copies will be mailed to each station within the next week.

The first four amendments admit national networks to active membership; provide for representation of each member network on the Board; extend the dues classification to cover networks and abolish the Executive Committee of the Board. Another amendment limits voting to stations whose dues are not more than one month in arrears and the sixth extends to the stations in territories and insular possessions, membership in NAB during the war duration, upon a 50 per cent dues basis.

CODE COMMITTEE FROWNS ON RELIGIOUS PROGRAM COLLECTIONS

The NAB Code Committee, meeting in Cleveland May 10, endorsed the following recommendation adopted May 6 by the Religious Broadcast Section of the Institute for Education by Radio:

"It is recommended: That no religious radio programs should appeal over the air for contributions for the support of the radio program itself. Nor should a charge for sermons, pamphlets or religious objects, distributed through religious programs, be used by the sponsor as a means of raising funds."

It was the sense of the Committee that station operators should carefully investigate all appeals for funds whenever they have any doubt as to the authenticity of the sponsor. Appeals for funds by the Red Cross, USO, Community Chest and other organizations of that character do not fall in this category, the Committee stated.

The Code Committee reviewed the "Report on News and News-Type Programs, February, 1942," made at its request by the NAB Research Department and found, to its satisfaction, that no further action was called for at this time.

The Committee noted with gratification that the overwhelming majority of stations, as of February, 1942, appeared to be holding the length of commercial copy in newscasts well within the limitations of the Code. The Committee expressed its belief that because of the desirability during the war period of maintaining careful handling of news broadcasts, stations would further restrict commercial copy as recommended in the Code.

Almost all the stations responding stated that they had designated someone responsible for all news broadcasts at all hours and some one person to decide where commercials should be spotted in news-type programs. This indicates, the Committee said, a wholesome response to the vital need for complete station control of broadcast news during wartime as recommended by the Code Committee in the NAB War Service Bulletin of February 6 covering "Commercial News Programs."

The Report revealed that most stations approve of middle commercials in news-type programs if properly handled, although the policy of only about 15 per cent of the stations reporting allows for middle commercials within 5-minute news-type programs.

CONVENTION SUGGESTIONS

From personal remarks and correspondence, it would seem that the 20th Annual Convention pleased the many who attended. It should be the constant aim of every person in the broadcasting industry to make these conventions increasingly constructive from the standpoint of attention to those matters which vitally affect the industry. While there is a general attitude of satisfaction with the recent convention program this does not mean that there is not room for improvement. Now is the time, when matters are fresh in the minds of those who attended, to record suggestions which may make it possible to make future conventions better. Your ideas, comments and criticisms are urgently requested.

CONVENTION ATTENDANCE

An analysis of the attendance at the 20th Annual Convention in Cleveland, May 11-14, shows that a total of 976 persons were duly registered. Three hundred thirty-five (335) NAB member stations or 64.2 per cent of the total NAB membership registered one or more delegates at the convention. In addition, 85 non-member stations were present. The table below shows that above 80 per cent of the NAB member stations in Districts 3, 7 and 9 were represented. Further, 18 of the 19 NAB associate members attended.

			Convention Attendance		
District	*No. of Stations*	*No. of NAB Members*	*NAB Members*	*%*	*Station Non-Members*
1	55	40	24	60	6
2	69	34	21	61.8	4
3	48	27	22	81.5	12
4	89	54	36	66.7	4
5	77	48	23	47.9	1
6	56	29	23	79.3	6
7	45	23	22	95.7	13
8	49	21	16	76.2	9
9	51	25	20	80.0	4
10	59	32	23	71.9	6
11	47	24	14	58.3	2
12	35	19	14	73.7	2
13	59	23	15	65.2	5
14	46	23	9	39.1	0
15	35	21	10	47.6	2
16	50	23	8	34.8	8
17	54	30	11	36.7	1
FM	—	7	6	85.7	—
Associate	—	19	18	94.7	—
Total	924	522	335	64.2	85

PROMOTIONAL DISPLAY

This year's display of promotional material was a convention highlight. With entries limited to material pertinent to the furtherance of the war effort the number of displays was not as large as the entries at St. Louis, but the general feeling was that the quality of the displays was greatly improved.

Frederic R. Gamble, Managing Director of AAAA; Paul B. West, President of ANA; and Douglas Meservey of the Office of Facts and Figures, comprised the Board of Judges. They certified the winners as follows:

William B. Lewis Award for most effective education of the audience concerning the war effort.

Super Power Class—WGY, Schenectady, New York, with special mention to WOV, New York, for foreign language programs, and WLW, Cincinnati, for excellence of news service.

Regional Class—WAAB, Boston, Massachusetts.

Local Class—WIBX, Utica, New York.

William B. Lewis Award for most effective inspiration of the radio audience to continued support of the war effort.

Super Power Class—KMOX, St. Louis, Missouri.

Regional Class—KGO, San Francisco, California.

Local Class—no award. Special Mention in this division to the entire class on the outstanding cooperation given to bond sale by radio stations throughout the country as reflected in the displays entered.

Certificate of Award for distinguished conduct of Civilian Defense Activity.

Super Power Class—WBBM, Chicago, Illinois.

Regional Class—KMBC, Kansas City, Missouri, with special mention to WEEI, Boston, Massachusetts.

Local Class—WFPG, Atlantic City, New Jersey.

Certificate of Award for important contributions to the progress in the art of broadcast advertising.

Super Power Class—WCCO, Minneapolis, Minnesota, with special mention to WOR, New York, for pictorial excellence in publication advertising, and WLW, Cincinnati, for its current trade paper campaign, "Why Advertise in Total War?"

Regional Class—WEEI, Boston, Massachusetts.

Local Class—no award.

M. F. "Chick" Allison and his committee did a splendid job in assembling and arranging the display. Not only were the winners rewarded for the excellence of their efforts, but the display serves as an inspiration to every radio station to create promotional ideas which will aid in the furtherance of the war effort.

RADIO SHIELD

The very attractive lapel buttons on "Radio In Service of Home and Nation," which were distributed at the convention, have created quite a stir. The idea, originated by WGAR, which presented pins to each of the registered delegates so long as they lasted, has brought forth considerable inquiry from individuals and stations.

John F. Patt, General Manager of WGAR, states that they will offer free of charge all the art work on this shield to any station which may want to use it in any of its advertising. Also, the silver pins, done in three colors, red, white and blue, with a safety clasp, may be obtained in any quantity at 60 cents each. Mr. Patt has kindly offered to handle these orders. Any interested party should write direct to Mr. Patt.

In an early issue of the NAB Reports we plan to make a distribution of the art work to all members.

GOLF WINNERS

Don Stratton, WTAM, and L. Waters Milbourne, WCAO, were co-winners of the 20th Annual NAB Golf Tournament at the Mayfield Country Club. Each posted a 66, which was the top score in a field of over 40 golfers. George Frey, of NBC, turned in a low gross of 79.

"Broadcasting Magazine," which provides the prize, has announced that each of the winners will receive an identical cup as a trophy.

Resolutions

Following are the convention resolutions:

1. The National Association of Broadcasters reaffirms its position expressed at the time of its 1940 and 1941 conventions with reference to its desire and intention to cooperate in every manner possible with the Federal Government in presenting a united front in the defense of our free institutions, and pledges its all-out support of the nation's war effort.

The National Association of Broadcasters does solemnly rededicate the American Radio Industry, with whose freedom it is entrusted, to the advancement of the American way of life, and to preservation of the unity and morale of the American people.

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2. The National Association of Broadcasters hereby extends its hearty thanks to those who have participated in its deliberations and who aided so materially in the success of the 20th Annual Convention.

The National Association of Broadcasters extends its most sincere thanks to the Honorable Humphrey Mitchell, Minister of Labour, Dominion of Canada, for his interesting and inspiring address.

The National Association of Broadcasters wishes to thank Byron Price, Director of the Office of Censorship; Archibald MacLeish, Director of the Office of Facts and Figures; Major General Lewis B. Hershey, Director of the Selective Service System; John D. Neukom, Office of Price Administration; and Charles R. Hook, President of the American Rolling Mills, for their attendance at the convention and in particular for their frank and open discussions of many of the problems confronting our industry at the moment. We are deeply grateful for their taking time out from their arduous duties to address us in these critical times.

The National Association of Broadcasters expresses its deep thanks to Major General F. G. Beaumont-Nesbitt, Brigadier General Robert L. Denig, Colonel R. Ernest Dupuy, Captain L. P. Lovette, J. Harold Ryan, Arthur Horrocks, and Miller McClintock for their attendance at this convention and for their assistance to the industry in its operations in time of war.

We extend our thanks to

Major Ernest L. Culligan
Richard G. Meybohm
Barclay W. Newell
Edgar L. Rice
James W. Petty, Jr.
J. D'Agostino
Wm. B. Lewis
Lee Falk
Anthony Hyde
Seymour Morris
W. C. Behoteguy
Dr. Harry Dean Wolfe, and
Gene Flack

for their fine contributions to the convention program.

The National Association of Broadcasters also wishes to thank Dorothy Lewis for so ably organizing the program of Listener Activities and all those who participated in that program.

We extend our thanks to the Honorable Frank J. Lausche, Mayor of Cleveland, to the Management of the Hotel Statler, the Convention Committee, headed so ably by John Patt, their wives and station associates, for providing such a fine program of entertainment for the ladies of the convention, and to all other individuals and groups from Ohio who have been exceedingly generous and cooperative with their time and talents.

The National Association of Broadcasters extends its thanks to Radio Stations WGAR and WJR for contributing to the broadcasting industry a badge symbolic of radio's recognition of its obligation of service to home and nation.

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3. The National Association of Broadcasters expresses its appreciation to Earl J. Glade, Chairman of the Code Committee, for his inspiring address to the convention, and to those broadcasters who have served with that committee during the strained times preceding and following Pearl Harbor. The Association endorses the recommendations of the Code Committee as to the handling of news broadcasts in time of war and pledges its whole-hearted efforts to the end that the American people shall continue to be the best informed people in the world and that radio newscasts shall be factual and free from hysteria in the trying times ahead.

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4. The National Association of Broadcasters enthusiastically endorses the constructive work in the educational broadcasting field done by the annual Institute of Education by Radio at Ohio State University.

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5. The National Association of Broadcasters expresses its high appreciation for the constructive work done by the Radio Council of Children's Programs and particularly to its distinguished chairman, Mrs. Nathaniel Singer.

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6. The National Association of Broadcasters expresses its deep appreciation to Mr. Glen Bannerman, President of the Canadian Association of Broadcasters for his attendance at this convention.

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7. The National Association of Broadcasters hereby extends its thanks to its President, Neville Miller, and to the members of his staff for their untiring efforts in successfully scheduling and carrying out this convention and for their extremely effective work done during the year just completed.

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8. The 20th Annual Convention of the National Association of Broadcasters hereby approves the official acts performed since the last annual convention by its duly qualified officers.

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9. The National Association of Broadcasters is deeply appreciative of the confidence in broadcast advertising expressed by General Motors in inaugurating its institutional advertising campaign, "Cheers from the Camps," and to the War Department for its good offices in helping to bring this about.

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10. The National Association of Broadcasters expresses its appreciation to John Fetzer, the chairman of the War Committee and to those broadcasters who have served with that committee, who have given the industry its Wartime Guide for Station Operation in these critical times and for the capable way in which they organized the current technician training program. The Association also wishes to extend its thanks to the Office of Education and to the Signal Corps of the Army for their splendid cooperation in furtherance of this program.

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11. The National Association of Broadcasters endorses the proposals made by its President before the House Committee on Interstate and Foreign Commerce at the hearings on the Sanders Bill (H. R. 5497) with a view to the enactment of a new radio law and urges favorable consideration thereof by that committee.

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12. The National Association of Broadcasters extends its sincere thanks to Walt Disney for his kindness and generosity in presenting the world premier of his latest film creation, "BAMBI," with its BMI score, to the convention.

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13. The National Association of Broadcasters is deeply appreciative of the fair treatment which has been accorded to the broadcasting industry by the press generally in respect of the broadcasters' efforts to keep radio free and its recognition of the common bond that links these two great media of free expression under the guarantee of the Constitution.

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14. The National Association of Broadcasters is deeply appreciative of the increasing recognition of the mutual problems of agency and station executives as evidenced by the attendance at this convention of the largest number of time buyers in the Association's history.

15. Whereas, a scattered few broadcasting stations have been broadcasting horse race results, race by race, along with "off-time," late scratches, betting odds and similar information of interest principally to bookmakers and their customers; and,

Whereas, this practice has been called to the attention of the National Association of Broadcasters as one which is of interest and value principally to listeners participating in illegal activity; and

Whereas, the Code Compliance Committee of the NAB has declared such race-by-race horse race results broadcast to constitute "bad radio,"

Therefore, Be It Resolved, that the National Association of Broadcasters approves the Code Committee's declaration that broadcasting of horse race results in any way of value principally to bookmakers constitutes bad radio.

Nothing in this resolution should be construed to condemn the broadcasting of the results of horse races at the end of a day's races. Nor should it be construed in any way to condemn the broadcasting of descriptions of the running of outstanding horse races, such as the Kentucky Derby.

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16. Whereas, the broadcasting industry lost one of its outstanding pioneers and the radio public lost one of its best known and best beloved voices last week in the death of Graham McNamee,

Therefore, Be It Resolved: that the National Association of Broadcasters extends deep and sincere condolences to Mr. McNamee's family.

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17. Whereas, the Radio Industry was greatly in need of a single source of information on radio as an advertising medium, and

Whereas, this need was more especially felt on the part of sales managers and salesmen of radio stations throughout the industry, and

Whereas, such a source of information was developed and published earlier in this year under the title "Manual of Radio Advertising,"

Be It Resolved, that the National Association of Broadcasters, meeting in convention in Cleveland, Ohio, May 13, 1942, express its genuine appreciation for this effort to Frank E. Pellegrin, Director of the Department of Broadcast Advertising of the Association.

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18. Maintenance of a sound broadcasting industry, particularly vital to the nation in these times of war, is predicated on the observance of good business practices and high standards of ethics, both on the part of broadcasters and of those who would use broadcasting facilities. In cooperation with our government the broadcasting industry is doing its utmost in the promotion of the war program by generous, unselfish all-out contributions of time and talent.

However, some organizations and movements outside the government are seeking their commercial advancement or the promotion of special aims through the free use of broadcasting facilities, sometimes even under the guise of participation in the war program. All such efforts are regarded by the National Association of Broadcasters as unwarranted, unsound, and contrary to the best interests of the industry and the nation.

Similarly, efforts by commercial enterprises to purchase radio facilities on a contingent, guaranteed, or per-inquiry basis, again sometimes even under the guise of patriotism, or, more reprehensibly, on the basis that the war emergency should persuade broadcasters to relax their standards of ethics, are declared by this Association to lead to unfair and discriminatory practices, to an undermining of the entire structure of commercial radio, and to the deterioration of an industry vital to its government and to the advancement of the American economic system. Such efforts are, therefore, condemned as unethical, as contrary to the best interests of the industry, and if carried to their logical conclusion as contrary also to the best interests of advertising in general and of the clients served by radio. It is the will of this Association, therefore, that all such requests should be denied by its members, and discouraged by every other means at their disposal.

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19. Whereas, there has grown up in the radio broadcasting and the music publishing industries pernicious practices whereby bribery and other corrupt and illegal means are used to foster the performance by radio of musical compositions regardless of their merit or popular appeal; and

Whereas, these practices have recently become so intensified that it is the subject of common knowledge and open admission; and

Whereas, as a result of such practices the musical interest of programs is diminished to the detriment of the public and the radio industry, and sustaining programs are perverted into secret and concealed advertising in violation of law; and

Whereas, such practices have been condemned by legitimate authorship, public enterprise and labor, and are contrary to the best interests of radio broadcasting and of the public it serves;

Now, Therefore, Be It Hereby Resolved, That it is the duty of all broadcasters to exercise and maintain proper supervision of radio programs and do all in their power to prevent the exercise of any influence over the selection of music used on such programs other than upon the basis of merit, public interest and availability; and

Be It Further Resolved, That the National Association of Broadcasters is hereby directed to make all possible efforts to terminate the said pernicious practices, and to make such recommendations to its members for the elimination of the said pernicious practices as may be considered necessary and/or advisable in the premises.

MacLeish Talk

Ladies and gentlemen, I think I start under a severe handicap, in making this speech because of an act of arrant sabotage by Byron Price this morning. Byron Price said the sooner you get to work and help us win the war the sooner you get rid of him, and since nobody wants to get rid of him I consider that sabotage.

I think the kindest thing anyone can do in addressing a convention of broadcasters is not to broadcast. I will try to be as brief as I can.

I am speaking for the government agency which coordinates government radio requirements, the agency, in other words, which mediates between the government and the radio industry in the touchy and ticklish business of government requests for radio time. It is not, I think you will agree, a very comfortable place to stand. It resembles nothing, in my experience, more than a permanent position in the middle of a swinging door, we get them coming and we get them going, and the harder they come the faster we swing. If we aren't dizzy yet, it is because Bill Lewis and Douglas Mesurvy, who devised this revolving contraption, have strong stomachs and limber necks, and also because you people in radio treated us with a consideration which would be hard to equal. You have not only cooperated manfully and patriotically with your government, but you have made it as easy as you could for those whom your government employs, a rare quality, and we are grateful.

But, if our position in the swinging door is not exactly a spot you would pick for a quiet weekend, at least it is a superb point of observation. We see a lot, and we see it at close quarters, and we necessarily get to thinking about the things we see.

What I want to talk about very briefly today is one of the things we think we have seen. I can sum it up by saying that in our opinion, for whatever our opinion is worth, the Government of the United States and the American Radio Industry still need to sit down together and talk things through, not to the point of mutual agreement, for the mutual agreement obviously exists, but to the point of an understanding of the basic principles underlying that agreement. It is our opinion, in other words, that the Government and the Industry came to an understanding about the wartime situation a little too quickly, and reached that understanding a little too easily, and do not in consequence altogether understand some of the bases of their mutual agreement. Government and the Industry agree, that is to say, that the Government in wartime has certain things to say to the people. We agree that radio is an excellent way of getting those things said. We conclude therefore that radio will cooperate with the Government and do what needs to be done, and we proceed to work out the details of the cooperation to work them out, thanks to you and thanks to the people who have come from your ranks into the Government's service, with very great technical skill and in a most helpful manner, but the precise nature of the cooperation we do not examine, with the result that we are presented at the very outset with certain questions which no time allocations plan can possibly solve, basic questions, human questions, questions of responsibility; who is really carrying the ball? Is it up to the Government to call signals or is the Government merely the lessee of the ball park? Who is supposed to blow the whistle? Who is supposed to think up the new plays? Who is on the field, and who is not? To be specific: What do we mean when we agree that we are going to cooperate, to carry to the country the information it must have if the citizens of this democracy are to exercise the rights and perform the duties of the citizens of a democracy? Does cooperation mean men and brains and experience and imagination? Or does it mean facilities? Are you giving the Government hours on the air or hours of your lives? Is the Government giving you a basket to carry or a job to do?

We haven't talked much about that question and it is a question we have to talk about, even though we may believe we know the answers we still must talk about the question, because we must agree explicitly and precisely as to what the answers are. If we don't, some of you will object, and object properly, that we in Government are expecting things we haven't asked for, and we in Government will complain that some of you are waiting for directions we have no intention of attempting to give.

What I would like to do, therefore, is to tell you as briefly as I can what I personally think we mean when we talk about cooperation between Government and radio. I don't think anything I say will be new to any of you, but I believe, notwithstanding, that what I have to say needs to be said, if only to get the whole problem into the open at the beginning and let you shoot at it and at me.

To begin with I think that when we talk about cooperation we mean cooperation not in terms of facilities, but in terms of men. We do not mean that the Industry is going to make certain facilities available to the Government to enable the Government to get the job done, we mean that radio is going to do the job itself, that radio is going to apply to the doing of the job all of its skill, all of its experience, all of its tremendous resources of ingenuity and imagination, all the force and verve and vitality of a young and dynamic industry. We mean this because there is nothing else we can possibly mean. If it were simply a question of facilities, simply a question of hours on the air, the Government would do far better to provide its own facilities, its own hours, and you as citizens of the Republic would be the first to advise us to do just that.

Our decision to try it the other way around therefore involves necessarily the assumption that the Industry can give the Government and will give the Government something more than time, something more than facilities; that the Industry, briefly will give the Government what the Government cannot otherwise secure, or can secure only with long delays and at tremendous expense, and what is it that the Industry can give? Established audiences? Yes, established audiences, but the Government of the United States does not need to bid for audiences, and it is not only loyal audiences that radio industry can supply. What the Industry can really give that Government cannot readily and immediately supply is the brains and the hearts and the energy of the men who run it. The men it has brought together and trained and taught over twenty years and more than twenty years of its hard-working history.

That is one reason for defining our cooperation in human rather than mechanical terms. But there are others. There are reasons which spring not from the logic of the situation, but from its emotions, from your emotions. Of all people on earth, you who have devoted your lives to radio would be least satisfied with an arrangement which gave you and your industry a mere mechanical job to do in the fighting of this war; of all groups I can recall to mind, yours is the most immediately, the most inevitably, involved in the emotions of this struggle. News of the fighting punctuates the lives of your studios; reactions of the war flood in through your telephone switchboards; suffering in the war, hope in the war, determination in the war color the programs which go out over your transmitters. You are never, for one moment, free of the presence of the war, and you could no more conceive of yourselves as mere mechanical contrivances to be employed by your Government than you could conceive of yourselves as living in the world before radio was invented.

There is no need to labor the point. If you disagree with my analysis of your attitudes and emotions you will tell me so, but if I am right, then certain consequences inevitably follow. Specifically, a responsibility is established and accepted. More specifically still, an affirmative responsibility is accepted by the Radio Industry for the effective communication to the people of this country, by every means of which Radio is master, of the information the people must have.

I do not wish to be misunderstood. The basic responsibility in this matter is the Government's. The Government of a democratic country in time of peace as well as in time of war but particularly in time of war, has a basic duty to see to it that the people are adequately informed, a duty it cannot transfer, a duty of which it cannot relieve itself. The fact that in ordinary times the labor of informing the people is skillfully and effectively performed by the commercial channels of communication, the fact that we in the United States rely habitually upon a press and radio which have never been surpassed in any country, a press and radio which have produced between them the best-informed nation in the world, that fact does not relieve the Government of its duty to the people. A democratic society cannot function unless the people are fully and promptly and accurately informed of the activities of their government, and of the problems with which their government is faced. If they are not thus informed, the fault is Government's however justifiably Government may have relied on other channels in the past.

But though the basic obligation and the basic responsibility is Government's it is nevertheless possible as between the Government and the commercial channels to establish another responsibility, and that responsibility as I see it has been established as between you and ourselves, as between the radio industry and the Government, by the nature of our cooperation. We have not asked for the partial loan of your facilities, we have asked for the performance of a job, and you on your part have agreed to perform it. We have not asked for the privilege of telling you what to do so many minutes or so many hours a day; we have asked you to decide for yourselves what needs to be done, to secure the result you and we agree must be accomplished. We, in other words, will tell you what our information policies are. We will tell you what information, what messages, what instructions the various departments of the Government, the armed services, the Treasury, the Office of Price Administration, the War Production Board want delivered to the people. We will keep you informed of the statements of the leaders of the Government on the nature and progress of the war. We will tell you of the desperate necessity for communication of these statements, these messages, this information to the people, but we will leave it to you to devise the effective means by which the job can be done. We will, of course, answer your questions when we can, but we will beg you not to wait on Washington, not to turn to us for instructions, but to do the job.

Let me repeat: it is not your antennae, your electrical installations or your control rooms, your microphones, or your programs or your audiences we want; it is you, your brains and hearts, your experiences and your ingenuity. It is not the time of your stations we ask for, but your own, the time you live by, the best time of the best hours of your best and most productive working days. You have something to give this war which no other body of men could possibly give it. You have the experience which has made American radio what it is. You have the inventiveness, and the courage and the imagination which have made American radio one of the great forces of enlightenment in the world. We ask you to mobilize these qualities for the winning of this war. We ask you to conceive and perfect yourselves and to put into effective operation yourselves the methods by which these people may be reminded of its cause, warned against its enemies, foreign and domestic, informed of the sacrifices it must make and the labors it must perform, and brought to the ultimate and final victory to which we all are pledged.

The American people do not need exhortation; they do not need and do not want the promises and threats which the Nazi radios pour upon the German people; they do not need and will not abide the hysteria, the false heroics, the brassy rhetoric of the Italian loud-speakers. They need, and want, and are entitled to have the truth; they need and want and are entitled to know what is expected of them, what they are required to do. Once they know these things the rest will be accomplished.

The cooperation of radio and Government can mean that the American people will be given what they have a right to have in so far as it lies within the power of radio and Government to give it. You have met here in a convention devoted to the problems of radio and the war. Many questions, great and small, will arise in this convention, but surely no question will arise of greater or more searching importance than the question posed by your relation to the Government in this common undertaking. Surely radio has never accepted from the beginnings of its history, an assignment equal in significance to the assignment this war has imposed upon you. It is an assignment, the significance of which will increase rather than diminish if gas shortages and rubber shortages restrict the coverage of those channels of communication which depend on wheels and motors. Radio may be compelled by force beyond the control of any man to accept burdens it has never so much as imagined until now. I know you will not think me presumptuous if I express the hope that this convention will devote its principal efforts to preparing now to meet the greatest challenge your industry, perhaps any comparable industry, has ever faced. (Applause.)

Price Talk

For a century and a half the American press has been a militant and successful guardian of our constitutional freedom of speech. This defense has not been accomplished without sacrifice. Our history books record the stubborn determination of editors and publishers to maintain free speech, often at the expense of their own security, even at the expense of their lives.

Now, in this critical hour of our history, the American press has a new partner—radio, going into world battle for the first time. It is radio's first major test. The nation's broadcasters, like the nation's editors, are called upon to prove their capacity for defending freedom by appraising it properly and observing clearly its legitimate boundaries. The experience involves sacrifices; but you are a young and virile industry, and you have shown that you can take it. Day in and day out, your cooperation with the Office of Censorship has given us many reasons for encouragement; and as the war goes on I know you will perform more and more effectively your allotted share of the common effort.

It is a very large share indeed. Some of us go back far enough to remember our first contact with radio through the agency of headphones and a crystal set. In those dim days, by patience and determination and a little imagination, we could sort out of the spitting and crackling a foggy barber shop quartet, or perhaps a piano solo, or a nervous announcer extolling the virtues of a new snake oil. From such a beginning broadcasting has become today the greatest form of mass communication known to man. Its responsibilities have increased accordingly.

To those who are trying to keep information from the enemy, the magnitude of radio as a facility of communication is appalling. Its scope can be measured only in terms of oceans and continents. We cannot forget that our stations number among their listeners the trained agents of our enemies. They sit attentively at loud speakers both inside and outside the United States. Within a matter of hours, statements broadcast by American stations come rolling back, with characteristic distortion, over the shortwave facilities of the Axis propagandists.

These facts are not new. They are known to all of us. But they are repeated here because none of us can afford to forget for one moment the dangerous power of the instrumentality known as radio. They explain why the Office of Censorship is requesting constantly and repetitiously that the interview type program be rigidly supervised against last-minute insertions and thoughtless questions, and that every item of broadcast news be weighed with care before it is put into the lap of the enemy. They explain why we have asked stations to process news before they broadcast it, and to recognize that responsibility for disclosing dangerous information cannot be passed on to the man on a news service desk, perhaps hundreds of miles away.

A great responsibility rests also upon commentators and news analysts, and that responsibility extends—as in the case of news dispatches—to you who make available to them vast audiences here and abroad. There is no circumstance growing out of the war which cannot be so interpreted and appraised that its true significance is lost. Honest, constructive analysis of the war effort is one thing, but speculation and prediction which makes itself the vehicle for smuggling of dangerous information is another thing entirely. If you operate a station, I think it is only reasonable that you should bear the responsibility for the use to which that property is put. It will be our purpose in the Office of Censorship to deal with responsible management, not with individuals.

In fact, it is not too much to say that the success or failure of voluntary cooperation in broadcasting will depend upon the degree of control which patriotic broadcasters exercise over the operation of their stations. There will be errors of judgment, of course; such confusions are inevitable under any voluntary system. What we should be more deeply concerned about, however, is the error which results, not from faulty judgment, but from thoughtlessness or carelessness. We have now been at war for five months. Surely no broadcaster can any longer plead unpreparedness.

By the very nature of radio you are in the front line of combat, literally as well as figuratively. You are in actual contact with the enemy, whose submarines are listening near our shores. If you have careless employees, or employees who find clever means of evading the Broadcasters Code, then your own investment is being used against you. It is like cheating at solitaire. National security is not an abstract term, used to signify something intangible and remote. National security means your security, and the national interest is your own interest.

Now you will begin to suspect that Censorship sees only the potential evil in radio. Far from it. This is not a cry of calamity, but rather a call for vigilance—vigilance as studied and deliberate as that of American sailors scanning the waters for the periscope of a submarine. That is the price of victory.

If radio has a tremendous potentiality on the side of evil, it has an equal potentiality on the side of good. The affirmative aspects of your war contribution—and it has been a very great contribution—may not be the direct responsibility of censorship, but censorship has a strong interest in it. For one thing, the more militantly you take up the torch, the sooner the war will be over, and the job of censorship ended. Of more immediate import, however, is your ability to both entertain and inform the American people. It would be a tragedy for all of us if, under the pressure of war requirements, radio resigned that facility for public entertainment which gave it birth. It would be a still greater tragedy if, in an over-zealousness of self-censorship, radio ceased to be an effective instrument of public information.

The American people must be given comprehensive news about the war. Not only are they entitled to this news in their own right, but if it were denied them, they would not be so likely to give the war their full support. From the standpoint of censorship it must be recognized that if the curtain were drawn too tightly, in the name of national security, all efforts to maintain voluntary cooperation by press and radio would be put to serious hazard. If the press and radio themselves carried their voluntary enterprise to the point of strangulation, the public would intervene.

It all becomes a question of where the line is to be drawn. On the one hand there are agencies of the Government which, because of the particular responsibilities assigned to them, are naturally skeptical of every disclosure. On the other hand are the press, the radio, and the public, anxious for a maximum of news. Each of these groups is eager to help the other; in fact the consoling and encouraging element is that no one worthy of the name of American, be he broadcaster, reporter, Navy officer, buck private, or plain citizen, wants to endanger a single life by disclosing something which should be kept secret.

You can only resolve such situations by the rule of reason. Narrow thinking, on either side, can lead only to ridiculous results and national harm. The fact is, for instance, that knowledge of almost everything which happens in the United States might conceivably be of some value to the enemy. Anyone who desires to do so can find justification to withhold almost any piece of news whatever. It could even be argued with force that the broadcasting of time signals might give information to the enemy. All his clocks and watches might have stopped!

Such a conclusion would go far afield. Yet in other instances it can be shown convincingly that real danger arises from disclosures which on their face appear perfectly harmless. For example, there is the subject of casualties. Those who have expert knowledge tell us that casualties among officers in a naval engagement provide an excellent index, not only to information as to which ships were engaged and damaged, but in what part of the ships the damage occurred, and how serious it was. The battle stations of officers aboard any ship are well known to the navies of the world and thus, it is maintained, the enemy would know what happened to a ship if he had prompt access to the lists of the wounded.

We receive in the Office of Censorship many letters from radio listeners. A large proportion of them complain that too much detail is disclosed in broadcasts. Some point out that broadcasts in enemy countries make no similar disclosures; that in fact such broadcasts disclose nothing at all about many subjects which are freely discussed by the American radio. The corollary of that is, of course, that in totalitarian countries the people themselves are kept in ignorance and must be kept in ignorance if dictatorships are to be maintained. I believe that many of those who make these criticisms would be the first to protest if a similar philosophy were followed here and if they themselves were deprived of essential information.

Some listeners are concerned particularly about disclosures of progress in war production. They feel that broadcasters have gone too far, not only in indicating the location and character of production plants, but in programing some of the actual operations of these plants. That is a large question, about which it would be difficult ever to arrive at general agreement. The practices of foreign governments who have had longer experience in the war differ greatly. In England, for instance, only the most cautious disclosures are made, but in Canada war production is put in the show window as an encouragement to morale. No other question has been more continuously or more carefully considered by the Office of Censorship. We have sought to follow a reasonable middle course but I suppose no one can say with certainty whether it has always been the wise course.

Another subject which agitates many listeners is the continuing availability on the dial of foreign language broadcasts emanating from American stations. Not being able to understand these broadcasts, some have reached the conclusion that things said in a foreign tongue have no place in wartime radio. It is not always realized that these programs all come from stations owned and controlled by American citizens and operating under license of the Federal Communications Commission. Many likewise do not understand that the programs are carefully supervised and that they constitute in some cases the only means of reaching by radio large groups of loyal Americans, so that they may be informed of what their Government is doing and encouraged to help in such ways as by purchase of war bonds. Seditious broadcasts, naturally, will not be permitted to continue, whatever the language; but there is no disposition to interfere with any broadcast merely because it is not an English-language broadcast.

About all of this we must be practical and reasonable, remembering that often when the enemy is kept ignorant, so inevitably are our own people. The question of relative importance between these two considerations deserves, in every case, the most earnest and patriotic attention.

The Code of Wartime Practices for American Broadcasters attempted to set up certain guideposts, somewhere between the extremes of viewpoint, somewhere along the pathway of common sense. It is by no means a complete solution of the problem, but we hope it will help. We in the Office of Censorship stand ready always to give such additional help as we can and if you would come to us more often with your specific problems, we might mutually contribute more fully to the end we all desire.

There is only so much, however, that the Office of Censorship can do. We are extremely fortunate in having your colleague, Harold Ryan, as administrator of the broadcasting Code. He and his assistants are doing a patriotic and painstaking job, but their most earnest efforts will accomplish nothing without your continuing cooperation, your willingness to endure sacrifice, and your constant vigilance.

In the language of the Code: "The American broadcasting industry's greatest contribution to victory will be the use of good common sense. . . . Radio is one of the greatest liaison officers between the fighting front and the people. Its voice will speak the news first. It should speak wisely and calmly."

Labor

File Your Contracts

The NAB Labor Committee, meeting May 10 in Cleveland, adopted a strong resolution, urging all members to file with the NAB Labor Relations Department copies of all current labor contracts.

Several members have complained recently that the NAB's file of labor information is not as complete as that maintained by the American Newspaper Publishers Association.

The NAB agrees.

But a complete file cannot possibly be built without complete cooperation on the part of the members.

National Wage Policy

The nearest thing to a practical, working interpretation of the Administration's hazy "wage stabilization" policy came Tuesday when William H. Davis, chairman of the War Labor Board, told a press conference:

That the *highest* pay raise the board would sanction would be *half* the increase in the cost of living since the last contract was made, *with the raise to be paid in War Bonds.*

Organized labor is still insisting upon wage increases, whenever the question comes up. Labor leaders say that price fixing and *voluntary* bond buying are enough to stop inflation.

WAGE AND HOUR ACT

Time spent by an employee as a voluntary member of a labor-management committee is compensable when meetings are held during his regular work hours, but not when meetings are held at other times.

This policy of the Wage and Hour Division, U. S. Department of Labor, with respect to such committee functions, encouraged by the War Production Board, was announced by L. Metcalfe Walling, Administrator of the Division.

KVOR CASE

Finding that the company interfered with self-organizational rights of its employees through anti-union statements and by unilaterally settling claims for overtime, the National Labor Relations Board on May 17 announced an order directing the Out West Broadcasting Company, Colorado Springs, Colorado, operator of radio station KVOR to cease employee interference and post notices to that effect.

At the same time, the Board dismissed allegations of the unfair labor practice complaint against the broadcasting company that it had refused to bargain collectively in good faith with International Brotherhood of Electrical Workers, Local No. 113 (AFL) on behalf of the station's four technicians.

COURT OF MISSING CALL LETTERS

Attention John W. O'Harrow!

We have received your April War Effort Broadcast Report.

But, the call letters were omitted. Will you please air mail this information?

Attention Catherine Dixon, Seattle, Wash.!

What are your call letters? Your April War Effort Broadcast Report has been received without identification. Please air mail the missing information.

CONTINUES PROMOTION

The present high in tune-in has made no difference with WOWO's customary program promotion.

Jack O'Mara, promotion manager, has just completed the distribution of substantial 14 x 22 cards to county agents for secondary distribution to farm homes in the territory.

Shown are important farm services, news and commentators appealing to farm listeners from 5:45 a.m. to 9:30 p.m. The job is done in red and blue on white.

"WE'VE GOT TO STICK TOGETHER"

The novelty tune, "We've Got to Stick Together," arranged by Jack Mason, first mentioned in NAB REPORTS of April 17, has been licensed by BMI. In Washington it is heard currently at the Neptune Room, Mayfair, Mayflower, Hotel 2400 and over three or four stations. George Paxton, arranger for Ina Ray Hutton's orchestra, said he would broadcast it from the Capitol Theatre during her stay in Washington.

"A 100 GRAND FOR UNCLE SAM"

"A Hundred Grand for Uncle Sam with the KMBC Victory Caravan."

That's the slogan back of the efforts of KMBC, Kansas City, in its self sponsored promotion, to sell War bonds and stamps.

The "Victory Caravan" plays a new town each Thursday night. Total actual sales from the stage for the first three performances were $27,302.42.

The third appearance of the "Victory Caravan" on May 7 drew an attendance of 1,205 and sold $14,000 worth of War bonds and stamps, according to Gene W. Dennis, KMBC, defense coordinator.

WMBD KEEPS MILLS OPERATING

"Peoria Gets in the Scrap" is the appropriate title of a community promotion which WMBD, Peoria, has just completed. It was an action promotion which followed news that several steel companies in Illinois were threatened with shut-down unless scrap metal began flowing in. The result of the promotion was 200 long tons of scrap metal with an approximate value of $3,000 loaded on cars in less than 2 days time. And it came about from the cooperation of the whole community after the station had assumed leadership.

It was the station's belief that door to door canvassing of the entire city of Peoria would be the only logical method to collect any appreciable scrap metal. The proposal was made and accepted that the Advertising and Selling Club would be a logical and lively enthusiastic organization to undertake the actual work involved. The Club rolled up its sleeves and within 7 days there was complete organization in every detail. At one p.m. on Friday afternoon, one of the local high school bands appeared on the Court House lawn to give the scrap drive a send off.

Sixty-two trucks were donated by local business firms. Five hundred Boy Scouts arrived to ride those trucks, to load and unload them. Other donations that helped to make the drive a success were: free food for all the Boy Scouts and men working on the trucks, served in a tent pitched next to the mounting scrap pile—provided by a local dairy, meat packing company and bakery.

Local waste material dealers furnished an electric magnet with a crane to load the scrap on railroad cars. These same dealers sorted this varied collection and segregated the non-ferrous metals for which a higher price was received. They also baled the scrap—$4.00 a ton operation—so that a higher price was received when delivered to the market.

The $3,000 received for the scrap metal will probably be donated as follows: probably one-third to the local USO and Red Cross organizations and two-thirds for a blood plasma unit or emergency disaster equipment for use in Central Illinois.

Intensive promotion over WMBD educated the entire community to the needs for the scrap metal. There were station-break announcements on the hour, half hour and quarter hour from April 14 to Saturday morning, April 18. At the same time there was a daily program Monday through Friday and morning and evening programs Monday, Wednesday and Friday, plus a half-hour show on Monday night dramatizing the actual need for waste material. This latter was patterned on "This Is War" and "They Live Forever" and created much favorable local comment.

Late Friday afternoon, the date prior to the start of the drive, the station sent a short-wave truck for a remote broadcast from the huge scrap pile soaring upward on the banks of the Illinois River.

Programming was handled by Vernon Nolte, acting program director.

KVOA NEWS

First copy of the "KVOA NEWS" that has come to our attention was Vol. 1, No. 5, received during the Cleveland Convention.

It's a well done job—in two colors—No. 5 contained news items on front page, the week's program schedule on pages 2 and 3 and a sales promotion calendar for May on page 4.

CENSORSHIP OFFICE CHANGES

John H. Sorrells has been appointed Deputy Director of Censorship by Byron Price. Announcement was made in Washington on May 19. Sorrells, on leave from the executive editorship of the Scripps-Howard newspapers, had been Assistant Director in charge of the press division.

Nat R. Howard, editor of Cleveland (Ohio) News, who has been Mr. Sorrells' chief assistant, has been appointed Assistant Director in charge of the press division.

In his new position, Mr. Sorrells will assist Mr. Price in directing the voluntary censorship of the domestic press and radio and also the border censorship.

J. Harold Ryan remains as Assistant Director in charge of the radio division, and Eugene Carr, WGAR, Cleveland, has been added to his staff.

ALFRED I. DU PONT AWARDS

The establishment of annual awards for radio commentators and radio stations, similar to the Pulitzer prizes in journalism, was announced today by Mrs. Alfred I. duPont, of Jacksonville, Fla.

Mrs. duPont said that two awards of one thousand dollars each will be made in March, each year. One will go to the radio news commentator, who, in the opinion of a board of impartial judges, has rendered the best public service during the preceding calendar year through the reporting of news by radio. The second award will go to the radio station in the continental United States, which, in the opinion of the judges, has contributed outstanding service toward the encouragement and development of American ideals.

Both awards are being established as memorials to the late Alfred I. duPont, well-known Florida financier and philanthropist.

In announcing the awards, Mrs. duPont said, "Radio as a medium for the dissemination of news and informed opinion, and radio stations and commentators as instruments of that medium, are performing an essential and patriotic service for the American public. Since Pearl Harbor the great value of radio has been dramatically demonstrated in the broadcasting of accurate, constructive and instructive information and opinion which has served not only to educate the people of America, but also to sustain national morale."

The winners of the awards are to be selected by an impartial board of judges made up of five persons. This board will consist of one representative of a nationwide women's organization; one non-commercial, non-political affiliate of the radio and broadcasting industry; one nationally prominent educator; one nationally prominent expert on public opinion and national affairs; and one representative of the Florida National Group of Banks, which acts as Mrs. duPont's agent in the sponsorship of the awards. Mrs. duPont said that she has directed the Florida bank chain, which is owned by the Alfred I. duPont estate, to finance the awards, and make payments only as directed by the board of impartial judges.

The commentator award will be known as the "Alfred I. duPont Radio Commentator Award." In describing this award, Mrs. duPont said, "It is my intention that this award shall be given in each calendar year to one individual who shall be a citizen of the United States, in recognition of distinguished and meritorious performance of public service, by aggressive, consistently excellent and accurate gathering and reporting of news, and the presentation of expert, informed and reliable interpretation of news and opinion for the purpose of encouraging initiative, integrity, independence and public service through the medium of radio."

The award to be made to individual radio stations is to be known as the "Alfred I. duPont Radio Station Award." It is to be granted each calendar year to one "radio station in the continental United States for outstanding and meritorious public service in encouraging, fostering, promoting and developing American ideals of freedom, and for loyal and devoted service to the nation and to the community it serves."

It was specified that the awards shall be made during the first week of March for the preceding calendar year, and shall continue annually thereafter until further notice. The initial award shall be made during the first week of March, 1943, for the calendar year 1942.

CLASSROOM RADIO AWARDS

The NAB has received a sample entry blank for the competition for awards in the classroom use of radio. Interested persons may obtain them from the Information Editor, Room 701, 228 N. La Salle St., Chicago.

MAINE

ESTIMATED RADIO HOMES, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying precent ownership to those units not answering radio question and adding such to those reporting radio.

	All Units			Urban Units			Rural-Nonfarm Units					
County	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Androscoggin	19,562	92.8	18,150	14,739	94.5	13,933	3,108	90.9	2,825	1,715	81.2	1,392
Aroostook	19,853	73.3	14,559	1,977	88.6	1,751	11,227	70.3	7,888	6,649	74.0	4,920
Cumberland	38,636	93.3	36,033	28,505	95.2	27,137	6,852	89.2	6,115	3,279	84.8	2,781
Franklin	5,332	81.5	4,348				3,783	84.7	3,205	1,549	73.8	1,143
Hancock	9,390	82.6	7,757	1,116	81.7	912	6,455	83.4	5,382	1,819	80.4	1,463
Kennebec	19,250	87.6	16,868	11,117	90.4	10,047	4,879	86.5	4,219	3,254	80.0	2,602
Knox	8,176	83.9	6,859	2,564	88.4	2,267	4,054	83.5	3,385	1,558	77.5	1,207
Lincoln	4,846	82.8	4,012				2,899	85.8	2,486	1,947	78.4	1,526
Oxford	11,011	83.6	9,204	1,929	90.2	1,741	6,404	84.7	5,425	2,678	76.1	2,038
Penobscot	24,307	89.18	21,649	10,986	95.4	10,482	9,242	86.7	8,009	4,079	77.4	3,158
Piscataquis	5,086	83.2	4,232				3,999	85.7	3,428	1,087	73.9	804
Sagadahoc	5,346	87.2	4,662	2,816	92.1	2,593	1,946	83.2	1,619	584	77.1	450
Somerset	10,213	83.3	8,509	1,665	91.7	1,526	5,482	86.3	4,731	3,066	73.5	2,252
Waldo	5,943	78.6	4,667	1,578	86.6	1,367	2,005	78.0	1,563	2,360	73.6	1,737
Washington	10,164	79.7	8,102	2,373	88.5	2,099	5,355	78.6	4,211	2,436	73.5	1,792
York	21,853	90.1	19,689	7,041	92.7	6,529	12,496	90.2	11,265	2,316	81.8	1,895
State Total	218,968	86.5	189,300	88,406	93.2	82,384	90,186	84.0	75,756	40,376	77.2	31,160

CITIES OF 25,000 OR MORE POPULATION

City	County	Units	% Radio	Radio Units
Bangor	Penobscot	7,420	95.9	7,117
Lewiston	Androscoggin	9,259	94.4	8,739
Portland	Cumberland	19,643	95.1	18,687

Nab Research Department

May 19, 1942

TELEVISION RULES AMENDED

The FCC has amended its rules to permit licensees of commercial television stations to broadcast but four hours of program service per week instead of the fifteen hours weekly, required heretofore. The step was taken to prevent recession of this new art to a purely experimental or laboratory stage and to keep it alive, ready to flourish as a public service after the war emergency.

Section 4.261(a) until today had required licensees to put programs on the air for a minimum of fifteen hours per week, divided in such manner that at least two hours of service was broadcast any one day during six days of the week. As rewritten, this section of the Commission's Rules and Regulations will require only four hours weekly and if the licensee finds it necessary he may broadcast all four hours during one day.

This relaxation, consistent with similar measures, previously announced for relief of standard broadcast stations, will permit licensees to conserve the life of their equipment, particularly tubes, and will permit television stations to operate under conditions of greatly reduced personnel. Licensees serving the same geographical area are free to arrange and alternate their program schedules so as to increase the number of programs available to the public in their communities.

The Commission action was taken after due consideration of recommendations from licensees of television stations and from representatives of the National Television System Committee, as well as the policies of the FCC announced in its Memorandum Opinion of April 27. No change in the Commission's standards for television transmissions is necessary at this time.

REGISTRATION OF DIATHERMY DEVICES

All possessors of diathermy apparatus including dealer stocks, must register each such device with the Federal Communications Commission in Washington, D. C., by June 8, 1942. Authority for the requirement is contained in Order No. 4 of the Defense Communications Board dated April 16, 1942. The order adopted by the FCC *does not* apply to persons owning sun lamps, infra-red lamps or ultra violet ray devices, long sold by drug and department stores.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission beginning Monday, May 25. They are subject to change.

Monday, May 25

Consolidated Hearing

NEW—Broadcasters, Inc., San Jose, Calif.—C. P., **1490 kc.,** 250 watts, unlimited.

NEW—San Jose Broadcasting Co., San Jose, Calif.—C. P., **1490 kc.,** 250 watts, unlimited.

NEW—Luther E. Gibson, Vallejo, Calif.—C. P., **1490 kc.,** 250 watts, unlimited.

Tuesday, May 26

Consolidated Hearing

W65H—WDRC, Incorporated, Hartford, Conn.—Modification of C. P., **43500 kc.,** 13,944 sq. mi., unlimited.

NEW—The Radio Voice of New Hampshire, Inc., Manchester N. H.—C. P., **43500 kc.,** 31,630 sq. mi., unlimited.

Thursday, May 28

NEW—WKAL, Incorporated, Kalamazoo, Mich.—C. P., **1230 kc.,** 250 watts, unlimited.

Friday, May 29

Further Hearing

NEW—KNOE, Incorporated, Monroe, La.—C. P., **1420 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KUTA—Jack Powers, Frank C. Carman, David G. Smith and Grant R. Wrathall, equal partners d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Granted modification of construction permit (B2-MP-1488) for changes in directional antenna and increase in power from 5 KW, LS, 1 KW, directional antenna, to 5 KW, directional antenna, and extension of commencement and completion date.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted application for authority to determine operating power by the direct method of reconstructed and readjusted directional antenna array (B4-Z-1379).

KGCX—E. E. Krebsbach, Wolf Point, Mont.—Granted construction permit (B5-P-3476) to move transmitter and studio location to Sidney, Mont., and make antenna changes.

W3XEP—RCA Manufacturing Co., Inc., Camden, N. J.—Granted construction permit (B1-PVB-93) to add transmitter to use special emission for frequency modulation on the aural channel with power of 10 KW.

W3XAD—RCA Manufacturing Co., Inc., Area of Camden, N. J. —Granted construction permit to add transmitter to use special emission for frequency modulation to aural channel with power of 50 watts and to change designation of transmitter location from portable to portable.mobile (B1-PVB-92).

KDB—Santa Barbara Broadcasters, Ltd. (Assignor), Don Lee Broadcasting System (Assignee), Santa Barbara, Cal.—Granted consent to assignment of license of station KDB (B5-AL-314) from Santa Barbara, Ltd., to Don Lee Broadcasting System.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted modification of license (B1-ML-1121) to change hours from all hours except those formerly assigned to WSVS, to unlimited time.

WFIG—J. Samuel Brody (Assignor), Radio Station WFIG, Inc. (Assignee), Sumter, S. C.—Granted consent to voluntary assignment of license (B3-AL-339) of station WFIG from J. Samuel Brody to Radio Station WFIG, Inc.

KFEQ—News Broadcasting Co. (Transferor), Barton Pitts (Transferee), St. Joseph, Mo.—Granted consent (B4-TC-295) to acquisition of control of KFEQ, Inc., Station KFEQ, through sale of 5 shares of common stock to Barton Pitts from News Broadcasting Co.

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted construction permit (B3-P-3484) to make changes in the directional antenna for nighttime use subject to the condition that in the event actual operation results in objectionable interference in the judgment of the Commission to either or both WTIC and WINK that the radiation of KRLD in these directions shall be reduced accordingly.

ACTION ON DOCKET CASE

The Commission has announced its Proposed Findings of Fact and Conclusions (B-151), proposing to grant, conditionally, the application of Saginaw Broadcasting Co. (WSAM), Saginaw, Mich., for modification of license to change its operating assignment from 1230 kilocycles, 100 watts night, 250 watts daytime, specified hours, to 1400 kilocycles, 250 watts power, unlimited time.

The Commission concludes:

"1. Three stockholders of applicant whose combined holdings amount to a 40% interest in the licensee corporation have combined interests totaling over 95% in the licensee of Station WBCM. There is no common control of the licensees and the stations are operated independently of each other.

"2. Operation of WSAM as proposed will deprive approximately 19,691 of the service available from it during certain day hours and will deprive about 7,575 of the daytime service received from WJLB. Service is available to the areas in which these losses would be experienced from at least four other stations. A full time in lieu of a part-time local service would be provided to about 247,637 day and 99,950 night, while a population of about 11,820 would receive a new service at night.

"3. The granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by the Communications Act of 1934, as amended.

"4. Public interest, convenience and necessity will be served by the granting of the instant application, on condition that the applicant deliver one set of crystals in its possession to a well recognized manufacturer or distributor and notify the Commission of the disposition made thereof."

At the same time the Commission dismissed applicant's "Petition for Grant filed pursuant to Memorandum Opinion of April 27, 1942", filed April 30, 1942.

LICENSE RENEWALS

Granted renewal of following licenses for the period June 1, 1942, to not later than October 1, 1942:

KFBB, Great Falls, Mont.; KFJZ and auxiliary, Fort Worth, Tex.; KGCU, Mandan, N. Dak.; KIT, Yakima, Wash.; KOIL, Omaha, Nebr.; KRGV, Weslaco, Tex.; KVOA, Tucson, Ariz.; WEBC and auxiliary, Duluth, Minn.; WHIO, Dayton, Ohio; WISH, Indianapolis, Ind.; WJDX, Jackson, Mich.; WOL and auxiliary, Washington, D. C.; WTCN, Minneapolis, Minn.; WTOC, Savannah, Ga.; WWNY, Watertown, N. Y.

Granted renewal of following licenses for the period June 1, 1942, to not later than August 1, 1944:

KFKU, Lawrence, Kans.; KMA, Shenandoah, Iowa; KRKD, Los Angeles, Calif.; KSAL, Salina, Kans.; KTW, Seattle, Wash.; WTRY, Troy, N. Y.; WCSH, Portland, Me.; WDEL, Wilmington, Dela.; WISN and auxiliary, Milwaukee, Wis.; WJBO, Baton Rouge, La.; WRC, Washington, D. C.; WREN, Lawrence, Kans.; WTMA, Charleston, S. C.

Granted extension upon a temporary basis only, pending determination upon application for renewal of license, in no event later than July 1, 1942, of following licenses:

KFOX, Long Beach, Calif.; KGGM, Albuquerque, N. Mex.; KGLO, Mason City, Iowa; KSWO, Lawton, Okla.; WATR, Waterbury, Conn.; WDAY, Fargo, N. Dak.; WFVA, Fredericksburg, Va.; WKPA, New Kensington, Pa.; WMAL, Washington, D. C.; WSBT and auxiliary, South Bend, Ind.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted renewal of license for the period June 1, 1942, to not later than June 1, 1944.

WFDF—Flint Broadcasting Co., Flint, Mich.—Granted renewal of license for the period ending in no event later than August 1, 1942, for main and auxiliary.

The following stations were granted renewal of licenses for the period June 1 to October 1, 1942:

KOL, Seattle, Wash.; WJAS, Pittsburgh, Pa.; WKNE, Keene, N. H.; WKST, New Castle, Pa.; WNAC, Boston, Mass.; WNEL, San Juan, P. R.; WORC, Worcester, Mass.; WRR and auxiliary, Dallas, Tex.; KLS, Oakland, Calif.; KVOR, Colorado Springs, Colo.; WDOD, Chattanooga, Tenn.; WXYZ and auxiliary, Detroit, Mich.

The following stations were granted renewal of licenses for the period June 1, 1942, to August 1, 1944:

KFSG, Los Angeles, Calif.; KROW, Oakland, Calif.; WICA, Ashtabula, Ohio; WTAW, College Station, Tex.; KFWB, Los Angeles, Calif.

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted renewal of license for the period June 1, 1942, to June 1, 1944.

KVRS—Wyoming Broadcasting Co., Rock Springs, Wyo.—Granted renewal of license for the period ending August 1, 1943.

W10XF—National Broadcasting Co., Inc., Portable.—Granted renewal of license for the period ending May 1, 1943.

W10XR—National Broadcasting Co., Inc., New York City.—Granted modification (B1-R-EX-4) of license to change location of station from Portable-Mobile to Portable or Portable-Mobile; and for renewal of license for the period beginning May 1, 1942.

WBKY—University of Kentucky, Beattyville, Ky.—Granted renewal of license for the period ending May 1, 1943.

WBOE—Cleveland City Board of Education, Charles H. Lake, Supt., Cleveland, Ohio.—Granted renewal of license for the period ending May 1, 1943.

MISCELLANEOUS

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Granted license to cover construction permit which authorized move of auxiliary transmitter to new site of main transmitter (B5-L-1653).

WJLD—J. Leslie Doss, Bessemer, Ala.—Granted license (B3-L-1656) to cover construction permit for new station to operate on **1400 kc.,** 250 watts, unlimited time. Also authority to determine operating power by direct measurement (B3-Z-1387).

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Granted license (B3-L-1627) to cover construction permit for new transmitter.

W2XI—General Electric Co., New Scotland, N. Y.—Granted license (B1-LVB-33) to cover construction permit for new experimental television relay broadcast station.

KSDS—San Diego Unified School District, San Diego, Calif.—Granted modification (B5-MPED-7) of construction permit (B5-PED-20) which authorized a new non-commercial educational broadcast station, for extension of completion date from Feb. 24, 1942, to July 1, 1942.

Edward E. Reeder, Seattle, Wash.—Denied as in cases of default application for construction permit for new broadcast station (Docket 5997).

Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Granted motion for continuance of hearing in re applications of Northside Broadcasting Corp. (WGRC), New Albany, Ind., and Kingsport Broadcasting Co., Inc. (WKPT), Kingsport, Tenn., applicants for **790 kc.;** hearing continued to June 22, 1942 (Dockets 6052, 6249).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing in re application for modification of license to operate on **1230 kc.,** 250 watts, unlimited time; hearing continued to June 23, 1942 (Docket 6216).

Herman Radner, Dearborn, Mich.—Granted supplemental motion to take additional depositions in re application for new station (Docket 6220).

Frequency Broadcasting Corp., Brooklyn, N. Y.—Granted petition for dismissal without prejudice of application for construction permit for new high frequency (FM) broadcast station (Docket 6182).

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted petition to dismiss without prejudice application for construction permit to make changes in directional antenna (Docket 6286).

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Granted motion for extension of time within which to file proposed findings in Docket No. 6117, to June 1, 1942.

Dorman Schaeffer, Klamath Falls, Ore.—Granted motion for continuance of hearing in re applications of Herald Publishing Co. and Dorman Schaeffer, for construction permits for new broadcast stations in Klamath Falls, Ore.; hearing continued to June 18, 1942.

KROY—Royal Miller, Sacramento, Calif.—Granted petition to dismiss without prejudice application for construction permit to operate on **1030 kc.,** 10 KW, unlimited, directional antenna night and day (Docket 6287).

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Granted modification (B-MP-1557) of construction permit (B-P-3436) for approval of transmitter.

KWON—Bartlesville Broadcasting Co., Bartlesville, Okla.—Granted license (B3-L-1659) to cover construction permit for new station to operate on **1400 kc.,** 250 watts, unlimited time. Also authority to determine operating power by direct measurement (B3-Z-1392).

WBEE—Worcester Telegram Publishing Co., Inc., Portable-Mobile, area of Worcester, Mass.—Granted modification (B1-MPRY-30) of construction permit authorizing new relay station, for change in type of transmitter, decrease in operating power from 50 to 40 watts.

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Granted petition for continuance of hearing now set for May 11, 1942, in re application for renewal of license; hearing continued until June 11, 1942 (Docket No. 6208).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Denied petitions of WFAS filed March 28 and May 7, requesting the Commission to reconsider and set aside its Order of October 28, 1941, designating for hearing application for modification of license; to cancel further hearing thereof; and to grant the same without hearing.

W6XDL—Don Lee Broadcasting System, San Francisco, Calif.—Denied application (B5-MPVB-81) for extension of completion date to October 30, 1942.

KGNO—The Dodge City Broadcasting Co., Inc., Dodge City, Kans.—Granted petition to cancel oral argument scheduled for May 20 on application for modification of license.

The Walmac Company, Alice, Texas.—Granted request for dismissal without prejudice of application (B3-P-3311) for a new station.

WKAL, Inc., Kalamazoo, Mich.—Granted motion to continue hearing now scheduled for May 28 to June 29, on application for new station.

South Florida Broadcasting, Inc., Miami, Fla.—Granted motion to continue hearing now scheduled for May 22 to June 24, on application for new station.

W65H—WDRC, Inc., Hartford, Conn.—Granted petition to withdraw application for modification of FM construction permit, and dismissed application without prejudice.

Federated Publications, Inc.—Granted motion to dismiss without prejudice applications for new FM stations at Grand Rapids, Battle Creek and Lansing, Mich.

The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted petition to withdraw application for new FM station, and application dismissed without prejudice.

Broadcasters, Inc., San Jose, Calif.; San Jose Broadcasting Co., San Jose, Calif.; Luther E. Gibson, Vallejo, Calif.—Granted petition to dismiss without prejudice applications for new stations in Dockets Nos. 6241, 6242 and 6243.

APPLICATIONS FILED AT FCC

570 Kilocycles

WNAX—WNAX Broadcasting Co., Yankton, S. D.—Modification of construction permit (B4-P-3288) for increase in power and directional antenna night, requesting extension completion date from 6-7-42 to 12-7-42.

600 Kilocycles

KRMC—Jamestown Broadcasting Co., Inc., Jamestown, N. D.—Authority to determine operating power by direct measurement.

630 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—Modification of construction permit (B5-P-2663, as modified, which authorized increase in power, installation of new transmitter and changes in DA) for extension of completion date from 5-29-42 to 6-29-42.

780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—License to cover construction permit (B4-P-3467, as modified, for a new transmitter, changes in antenna system and move of transmitter and antenna).

920 Kilocycles

WTTM—Trent Broadcast Corp., Trenton, N. J.—Authority to determine operating power by direct measurement.

950 Kilocycles

KPRC—Houston Printing Corp., Houston, Texas.—License to cover construction permit (B3-P-2791, as modified, to install DA for night use, increase power).

KPRC—Houston Printing Corp., Houston, Texas.—Authority to determine operating power by direct measurement of antenna power.

1190 Kilocycles

WLIB—Arthur Faske, Brooklyn, N. Y.—License to cover C. P. (B1-P-3151) as modified, for a new transmitter, change in frequency, increase in power and change in hours of operation.

WLIB—Arthur Faske, Brooklyn, N. Y.—Authority to determine operating power by direct measurement.

1230 Kilocycles

NEW—John W. Choate, Leonore V. Choate, E. P. Nicholson, Jr., and John Wallbrecht (a partnership), Middlesboro, Ky.—Construction permit for a new broadcast station on **1230 kc.,** 250 watts, unlimited time.

KGHI—Arkansas Broadcasting Co., Little Rock, Arkansas.—Construction permit to install a new transmitter.

1240 Kilocycles

WJRM—Allegheny Broadcasting Corp., Elkins, W. Va.—Modification of construction permit (B2-P-3328) for a new broadcast station, requesting approval of antenna system and transmitter location, and studio location.

WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—License to cover construction permit (B3-P-3432, which authorized move of transmitter).

1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—Modification of construction permit (B1-P-3445) for increase in power, equipment changes and installation of directional antenna for night use, requesting changes in directional antenna.

1300 Kilocycles

KOL—Seattle Broadcasting Co., Seattle, Wash.—Modification of C. P. (B5-P-3030, as modified, which authorized increase in power and installation of DA) for extension of completion date from 6-1-42 to 9-1-42.

1320 Kilocycles

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Modification of construction permit (B2-P-2947, as modified, which authorized increase in power, and installation of DA for night use) for extension of completion date from 5-27-42 to 9-27-42.

1340 Kilocycles

WGTM—Penn Thomas Watson, Wilson, N. C.—Authority to install automatic frequency control equipment.

1380 Kilocycles

WMBG—Havens & Martin, Inc., Richmond, Va.—Authority to determine operating power by direct measurement of antenna power for auxiliary transmitter.

WMBG—Havens & Martin, Inc., Richmond, Va.—License to cover construction permit (B2-P-3197, as modified, which authorized changes in DA system).

WMBG—Havens & Martin, Inc., Richmond, Va.—Authority to determine operating power by direct measurement of antenna power for main transmitter.

KBWD—Brown County Broadcasting Co., Brownwood, Texas.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW day.

1400 Kilocycles

KTTS—Independent Broadcasting Co., Springfield, Mo.—License to cover construction permit (B4-P-3156, for a new station).

KTTS—Independent Broadcasting Co., Springfield, Mo.—Authority to determine operating power by direct measurement of antenna power.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—License to cover construction permit (B3-P-3464, which authorized installation of new transmitter).

WBNY—Roy L. Albertson, Buffalo, N. Y.—Authority to determine operating power by direct measurement.

1410 Kilocycles

WNBC—State Broadcasting Corp., New Britain, Conn.—Modification of license for move of studio from New Britain to Hartford, Conn.

1430 Kilocycles

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Modification of license to move studio from Brooklyn to New York, N. Y.

1450 Kilocycles

WKEU—Radio Station WKEU, Griffin, Ga.—Construction permit for increase in power from 100 watts to 250 watts, hours from daytime to unlimited and move transmitter. Amended to omit request to move transmitter.

NEW—Camden Radio, Inc., Camden, Ark.—Construction permit for a new broadcast station to be operated on **1450 kc.**, 250 watts, unlimited time, Facilities KCMC, contingent on KCMC changing to **1230 kc.**

WWDC—Capital Broadcasting Co., Washington, D. C.—Transfer of control of corporation from Stanley H. Horner, Dyke Cullum and Edwin M. Spence to Joseph Katz, G. Bennett Larson and Charles M. Harrison, 250 shares, 100%.

1490 Kilocycles

KSAM—W. J. Harpole and J. C. Rothwell, d/b as Radio Station KSAM, Huntsville, Tex.—Modification of license to move studio from Huntsville to 2 miles S. E. of Huntsville, Texas.

1520 Kilocycles

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Transfer of control thru sale of 200 shares (10%) of stock by George F. Courrier to John W. Clarke, transferee.

KPMC—Pioneer Mercantile Company, Bakersfield, Calif.—License to cover construction permit (B5-P-3118, for change in frequency).

KPMC—Pioneer Mercantile Co., Bakersfield, Calif.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATION

NEW—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Construction permit for a new high frequency broadcast station on **43500 kc.**, coverage 20,290 sq. mi., population, 4,260,280. Location of transmitter at Goffstown, N. H., and studio at 1819 Elm St., Manchester, N. H. Amended to change proposed transmitter site from Goffstown, N. H., to Shaw Mountain, Carroll County, N. H., increase coverage from 20,290 to 31,630 sq. mi., change population from 4,260,280 to 2,318,333 and make changes in transmitter and antenna system.

MISCELLANEOUS APPLICATIONS

WEJD—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WRC, Washington, D. C., and to delete use with WMAL.

WEJD—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WRC, Washington, D. C., and to delete use with WMAL.

WNBU—National Broadcasting Co., Inc., Portable.—Modification of license to show use of station with broadcast station WRC, Washington, D. C., and to delete use with WMAL.

NEW—Blue Network Co., Inc., Portable-Mobile.—License for new relay broadcast station using already licensed equipment (using equipment WEJI) on **31220, 35620, 37020, 39260 kc.**, .25 watts, Emission A3.

WEJI—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WEAF, New York, N. Y., and delete use with WJZ.

WEJT—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WRC, Washington, D. C., and delete use with WMAL.

WEJC—National Broadcasting Co., Inc., Washington, D. C.—Modification of license to show use of station with broadcast station WRC, Washington, D. C., and delete use with WMAL.

WEJS—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WRC, Washington, D. C., and delete use with WMAL.

WNBR—National Broadcasting Co., Inc., Mobile.—Modification of license for change in area normally served by station from Cleveland, Ohio, to Washington, D. C., and change from station with which it is to be used from WTAM, Cleveland, Ohio, to WRC, Washington, D. C.

WNTJ—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license for change in area normally served by station from Cleveland, Ohio, to Washington, D. C., and change from station with which it is to be used from WTAM, Cleveland, Ohio, to WRC, Washington, D. C.

WNCU—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use with broadcast station WRC, Washington, D. C., and to delete use with station WMAL.

NEW—Blue Network Co., Inc., Portable-Mobile.—License for a new relay broadcast station using already licensed equipment of NBC relay station WEJJ, on **31220, 35620, 37020, 39260 kc.**, 2 watts, Emission A3.

WEJJ—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WEAF, New York, N. Y., and to delete use with station WJZ.

NEW—Blue Network Co., Inc., Portable-Mobile.—License for a new relay broadcast station using already licensed equipment of NBC relay station WEJU, on **31220, 35620, 37020, 39260 kc.**, 25 watts, Emission A1, A2, A3.

WEJU—National Broadcasting Co., Inc., Portable-Mobile.—Modification of license to show use of station with broadcast station WEAF and delete use with station WJZ.

NEW—Blue Network Co., Inc., Portable-Mobile.—License for a new relay broadcast station using already licensed equipment of NBC relay station WIEW on **1606, 2074, 2102, 2758 kc.**, 25 watts, Emission A1, A2, A3

WIEW—National Broadcasting Co., Inc., Mobile.—Modification of license to show use of station with broadcast station WEAF, New York, N. Y., and delete use with station WJZ.

W45CM—WBNS, Incorporated, Columbus, Ohio.—Modification of construction permit (B2-PH-8, as modified which authorized new H. F. B. station), for extension of commencement and completion dates only from 12-1-41 and 5-30-42 to 6-1-42 and 12-1-42, respectively.

WNBM—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to show use of station with applicant's standard broadcast station WEAF, New York, N. Y., only, and to delete use with station WJZ, and to change designation of location from Portable-Mobile to Portable or Portable-Mobile.

WMFL—National Broadcasting Company, Inc., New York, N. Y.—Modification of license to show use of station with applicant's standard broadcast station WEAF, New York, N. Y., only, and to delete use with station WJZ.

WEJA—National Broadcasting Company, Inc., New York, N. Y.—Modification of license to show use with applicant's standard broadcast station WEAF, New York, N. Y., only, and to delete use with WJZ.

WEJN—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to show use of station with applicant's standard broadcast station WEAF, New York, N Y., only, and to delete use of the station with standard station WJZ.

WEJR—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to show use of station with applicant's standard broadcast station WEAF, New York, N. Y., only, and to delete use with station WJZ.

WEJL—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to show use of station with applicant's standard broadcast station WEAF, New York, N. Y., only, and to delete use with station WJZ.

WEJW—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to show use of station with applicant's standard broadcast station WEAF, New York, N. Y., only, and to delete use with station WJZ, and to change designation of location from Portable-Mobile to Portable or Portable-Mobile.

K49KC—Everett L. Dillard, tr/as Commercial Radio Equipment Company, Kansas City, Mo.—Modification of construction permit (B4-PH-14, which authorized new H. F. B. station) for extension of completion date only from 5-23-42 to 11-23-42.

KGEI—General Electric Co., near Belmont, Calif.—Modification of license to add the frequency **11730 kc.** to those presently licensed; sharing time on this frequency with stations WRUL, WRUS and WRUW.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under call WEJA.) Frequencies: **31220, 35620, 37020,** and **39260 kcs.** Power: 100 watts. Emission: A1, A2 and A3. Location: 30 Rockefeller Plaza, New York, N. Y.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under call WEJN.) Frequencies: **31220, 35620, 37020, 39260 kcs.** Power: 25 watts. Emission: A1, A2, and A3. Location: Portable-Mobile. Area of New York, N. Y.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under call WEJR.) Frequencies: **31220, 35620, 37020,** and **39260 kcs.** Power: 2 watts. Emission: A3. Location: Portable-Mobile. Area of New York, N. Y.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under call WEJL). Frequencies: **31220, 35620, 37020, 39260 kcs.** Power: 0.25 watts. Emission: A3. Location: Portable-Mobile. Area of New York, N. Y.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under call WEJW.) Frequencies: **31220, 35620, 37020,** and **39260 kcs.** Power: 25 watts. Emission: A3. Location: Portable-Mobile. Area of New York, N. Y.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to show use with Standard Broadcast Station WEAF, New York, N. Y., only and to delete use with WJZ.

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100) as modified for increase in power and directional antenna for day and night, requesting extension of completion date from 5-16-42 to 7-16-42.

KBSF—The Associated Broadcasters, Inc., Portable-Mobile.—License to cover construction permit (B5-PRY-267) for a new relay broadcast station.

KBSF—The Associated Broadcasters, Inc., Portable-Mobile.—License for a new special relay broadcast station using already licensed equipment (KBSF) on **1622, 2058, 2150, 2790 kc.,** power 50 watts, Emission A3, to be used with international station KWID.

NEW—The Associated Broadcasters, Inc., Los Angeles, Calif.—Construction permit for a new international broadcast station, frequencies to be determined by FCC, 50 KW, Emission A3, hours undetermined.

NEW—The Associated Broadcasters, Inc., N. of Seattle, Wash.—Construction permit for a new international broadcast station, frequencies to be determined by FCC, 50 KW, Emission A3, hours undetermined.

NEW—Blue Network Co., Inc., New York, N. Y.—Authority to transmit programs to Station CFCF and CBL (formerly CRCT) and the Canadian Broadcasting Corp.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Applicant using equipment licensed to NBC under call "WNBV.") Frequencies: **1606, 2074, 2102, 2758 kcs.** Power of 25 watts. A1, A2, A3 emission. Located in Area of New York. Portable-Mobile.

NEW—Blue Network Co., Inc., Bound Brook, N. J.—License for new relay broadcast station using already licensed equipment. (Using equipment licensed to NBC under call letters "WMFL.") Frequencies: **1606, 2074, 2102, 2758 kcs.** Power of 500 watts. Emission: A1, A2, and A3. Location: 1 River Road, Bound Brook, N. J.

NEW—Blue Network Co., Inc., New York, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under call WNBM.) Frequencies: **1606, 2074, 2102** and **2758 kcs.** Power: 100 watts. Emission: A1, A2, and A3. Location: Portable or Portable-Mobile. Area of New York, N. Y.

NEW—Blue Network Co., Inc., Port Washington, N. Y.—License for new relay broadcast station using already licensed equipment. (Licensed to NBC under WAOB.) Frequencies: **1606, 2074, 2102** and **2758 kcs.** Power: 500 watts. Emission: A1, A2, and A3. Location: Port Washington, N. Y.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Fred Benioff Company—Alleging misrepresentation in the sale of fur products, a complaint has been issued against Fred Benioff Co., and Fred Benioff, 133 Geary St., San Francisco, who have traded under the names Fred Benioff Furs, Fred Benioff's Furs, Benioff's Furs and Benioff's. According to the complaint, Fred Benioff Co. maintains retail establishments in Oakland and Stockton, Calif., and Spokane, Wash. (4760)

Sierra Candy Company, Inc.—A complaint has been issued charging Sierra Candy Co., Inc., 2203 Third St., San Francisco, with selling to jobbers and retail dealers assortments of candy so packed and assembled as to involve the use of lottery schemes when the candy is sold to consumers. With the assortments the respondent allegedly furnishes punch boards and push cards for use in the sale of its candy. (4758)

Bertha M. Urban—A complaint has been issued charging Bertha M. Urban, Ewing, Nebr., with misrepresentation in the sale of a medical preparation designated "Lakota." (4761)

Dr. D. A. Williams Co., East Hampton, Conn., is charged, in a complaint with misrepresentation in the sale of "The Williams Treatment," consisting of a medicinal preparation to be used in conjunction with a daily diet program presented in a booklet entitled "Feeling Twenty Years Younger." (4759)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

S. Angell & Co., 236 West 27th St., New York, has been ordered to cease misrepresentations and use of lottery methods in the sale of furs, fur garments, or other merchandise. (4520)

Charles of the Ritz Distributors Corp., 9 University Place, New York, has been ordered to cease and desist from misrepresentation in the sale of a cosmetic preparation designated "Charles of the Ritz Rejuvenescence Cream."

The order prohibits the respondent from disseminating any advertisement in which the word "Rejuvenescence" is used to describe its cosmetic preparation or which represents that the preparation will rejuvenate the skin or restore youth or the appearance of youth to the skin of the user. (3923)

Chumanie Medicine Co.—An order to cease and desist from misrepresenting the therapeutic properties of "Chumanie" medicinal preparations has been issued against Charles Roehm, trading as Chumanie Medicine Co., New Richmond, Ohio. (4530)

Codrin Corp., 333 Sixth Ave., New York, has been ordered to discontinue the dissemination of any advertisements which contain false representations concerning the therapeutic value of a medicinal preparation it sells under the name "Magnesia S. Pellegrino." (4598)

Davidson Enamel Co., Clyde, Ohio, to cease and desist from misrepresenting the composition of an interior wall covering product it manufactures and sells under various names, including "Veos Tile" and "Veos Porcelain Tile." (4001)

General Surveys, Inc., 203 North Wabash Ave., Chicago, and G. J. Doucette, a director and salesman of the corporation, have been ordered to cease and desist from misrepresentation in the sale of sets of reference books and loose-leaf extension services. (4554)

Green Supply Company—Perle P. Green and Howard Rand, trading as Green Supply Co., National Merchandising Co., and National Supply Co., 282 Sexton Bldg., Minneapolis, to discontinue selling or otherwise disposing of merchandise by means of lottery methods. The respondents are dealers in fishing tackle, silverware, rifles, garments, blankets, radios and other commodities. (4480)

Seboreen Laboratories—Misrepresentations in the sale of medicines and cosmetics are prohibited in an order issued against The Sebrone Co., formerly known as Seboreen Laboratories, Inc., 6912 Ravenswood Ave., Chicago, manufacturer; Federal Cosmetic Sales Corp., 126 North Seventh St., Springfield, Ill., which has sold The Sebrone Co., products; Fred E. Schon, Lloyd M. Wendt, Evelyn Schon, and Ethel Cronson, individually and as officers and directors of The Sebrone Co., and Virginia L. Cook, an officer and director of the sales corporation. (4230)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Brief Case Company—Abraham Klotz, 100 West 31st St., New York, luggage manufacturer trading as Acme Brief Case Co., entered into a stipulation to cease and desist from use of the words "split cowhide," "leather" or any other words connoting leather as descriptive of a product which does not consist wholly of leather. According to the stipulation, certain brief cases sold by the respondent consisted of two thin layers of split leather superimposed over a thicker layer of cardboard and were represented on labels as being "leather product" made of "quality split cowhide." (3479)

E. T. Barron & Co., and Barron Chemical Products Co., 19 East Lake St., Minneapolis, stipulated that it will cease and desist from making the following representations concerning merchandise he has sold or is selling:

That "Barron's Piano and Furniture Polish" produces a wax-like finish; that "Barron's Master Cleaner" leaves no ring; that "Barron's Boiler Stop Leak Compound" will repair leaky boilers and will seal joints and fittings in new hot water systems so as to eliminate repair bills; that "Barron's Lightning Hand Cleaning Powder" is antiseptic; that "Barron's Double Strength Glue" mends broken crockery, glassware, china or any other article used as a water container; and that the "Model 39 Bell Vending Machine" eliminates competition. (02979)

Burros & Burros, 111 West 19th St., New York, manufacturer and importer of artificial flowers, stipulated that it will cease and desist from representing in any manner that artificial flowers or other products made in Japan or any other foreign country are manufactured in the United States. (3478)

Fernol Co., 800 North Clark St., Chicago, entered into a stipulation to cease and desist from representing that the drug preparation he sells under the name "Fernol Concentrate" is of any value in taking off weight. The respondent further agrees to discontinue the dissemination of any advertisement which represents that the preparation will in no case have any deleterious effects or which fails to reveal that its continued or frequent use may result in severe gastro-intestinal irritation and interference with the digestive processes and may also result in dependence on laxatives, and that the preparation should not be used in cases of nausea, vomiting, abdominal pains or other symptoms of appendicitis. The stipulation provides, however, that the advertisement need contain only the statement "Caution, Use only as directed," if and when the directions for use on the labeling contain an appropriate warning. (02981)

J. & A. Friedberg, Inc., 359 36th St., Brooklyn, luggage manufacturer, has entered into a stipulation to discontinue selling brief cases made of split leather, unless labels revealing that the leather is split or cut from the under side of the hide and is not top grain leather are affixed thereto so as to remain on the brief cases until they reach the ultimate purchasers. (3480)

Heekin Company—A stipulation to discontinue certain representations in connection with the sale of "Happy Family Baking Powder" has been entered into by two Cincinnati firms, The Heekin Co., Walnut and Water Sts., and J. F. and M. E. Koons, operating Midland Advertising, an advertising agency, at 111 East Fourth St. The advertising agency prepares and disseminates advertisements of the baking powder, which is sold and distributed by The Heekin Co. (02977)

Jaco-Lac Decal Co., 188 West Randolph St., Chicago, stipulated that, in the sale of decalcomania lettering, emblems and designs, she will cease and desist from representing that she is a manufacturer of such products or owns, operates or controls the factories in which the products sold by her are made. The respondent further stipulates that she will discontinue the use in advertising matter of statements such as "Patent applied for" in connection with a book of decal letters or other unpatentable article to imply that a patent is pending for such book or article, or that the purported application for patent affords protection against infringement until a patent has been issued. (3481)

Majestic Electric Supply Co., 2333 West Chicago Ave., Chicago, entered into a stipulation to cease representing, in connection with the sale of electrical supplies and other merchandise, or placing in the hands of others the means of representing, that a fictitious or marked-up price is the customary or usual retail price of such merchandise. The respondent further agrees to discontinue the use of excessive discount quotations, either alone or with fictitious or marked-up price figures, to imply that resulting net prices are less than those of competitors. (3482)

G. H. Murry & Co., Madison, N. C., has entered into a stipulation to discontinue representing that the product he sells under the names "Murry's Dollar Stock Powder," "Murry's Cattle Powders" and "Murry's Horse and Cattle Powders" will remove onion or vegetable taste from milk or butter, increase the purity, richness or flow of milk, keep livestock healthy, and prevent dogs from having fits. (02980)

Elizabeth Redden, 52 West 53rd St., New York, stipulated that, in the sale of "Honey Facial Bath," she will cease representing that the preparation will cure or banish oiliness of the skin, enlarged pores, wrinkles, surface pimples or blackheads; that it is an astringent or will tone or bleach the skin; that superficial application of the preparation furnishes the skin with vitamins; and that, because of its honey content, the product possesses therapeutic value in excess of its action as a detergent and emollient. (02982)

United Laboratories, Inc., 16801 Euclid Ave., Cleveland, entered into a stipulation to cease and desist from representing that its mastic surfacing product designated "Plastic Rock," when applied to floor surfaces, makes them fast, skid-proof and dragless, unless the conditions under which these results are accomplished are specifically stated; that "Plastic Rock" surfacing has been subjected to sufficient foot traffic to demonstrate that it will wear permanently or indefinitely; and that the United States Army or Navy specifies the use of "Plastic Rock." (02978)

Claude R. Wadlington Co., Hopkinsville, Ky., entered into a stipulation to cease and desist from representing that their medicinal preparation designated "Apolene" is a remedy for, or possesses any therapeutic value in the treatment of rheumatism, sinusitis, hay fever, head and chest colds, bronchitis, influenza or eczema. The respondents also agree to stop representing that "Apolene" has any therapeutic value for skin irritations in excess of its ability to temporarily allay the itching or discomfort incident thereto; that it is a remedy for hemorrhoids, without expressly limiting such claim to temporary relief of external hemorrhoids; and that it has any therapeutic value in the treatment of cuts or burns, without expressly limiting such claim to relief of minor cuts and burns. (02976)

FTC CASE CLOSED

The Federal Trade Commission closed its case against Kimble Glass Co., Vineland, N. J., because of insufficient evidence to warrant a proceeding on charges of violation of the Robinson-Patman Antidiscrimination Act. The closing order was issued without prejudice to the Commission's right to resume proceedings should future facts so warrant. The respondent company manufactures glass tubing and test and control apparatus for the dairy industry.

Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 21, May 29, 1942

WPB Will Consider Equipment Pool

Recommendations of the DCB for an industry equipment pool to relieve critical shortages of parts and tubes had not officially reached the Radio Section, Communications Branch, of the WPB on Thursday. Serious study will promptly be given the recommendations when received, officials declared.

It can be stated that WPB officials concerned are all conscious of the importance of broadcasting to the war effort, but that there is not the slightest possibility, in the event the pool is set up, that WPB can guarantee priorities on parts and tubes after the proposed pool is exhausted. Apart from the merits of the equipment-pooling plan, there is a decided opinion at the WPB that stations can go on for quite a while if they observe certain precautions calculated to increase the life of equipment. Such precautions include taking steps to ease the load on various circuits and components which have frequent failures; reducing the load on tubes to increase their life; taking advantage of repair facilities on vacuum tubes and having the unit repaired rather than replaced whenever possible; using existing or obsolete parts to replace units which go bad; and using every reasonable precaution to prevent undue and accidental damage to components.

The DCB announced May 23 that it had recommended to the War Production Board approval of a plan initiating a cooperative "pool" of replacement equipment for the broadcast industry. The DCB further recommended that the Federal Communications Commission be delegated authority to administer those portions of the plan calling for centralized administration by the Government.

Such a plan could operate only with the full cooperation of the broadcasters and this cooperation is assured by the fact that it originated with the broadcasters themselves and was prepared and submitted to the DCB by the Domestic Broadcasting Committee of the Board. It is believed that its operation should go a long way to relieve the priorities problems now confronting the 900-odd broadcasting stations in repair and maintenance materials.

In general the plan provides for establishing throughout the nation 17 regional conservation districts, each to be administered by an administrator and two assistants. Administrators and their assistants are to be selected by the broadcasters in their respective districts, and they are to check the inventories, supervise distribution of replacement parts and see that efficient operation of each station is maintained.

Inventories will be kept in each district and at the Federal Communications Commission in Washington, the former for use within the regional areas, and the latter to be used as the basis of redistribution between districts on direction from the FCC. Regional administrators will operate under general supervision of the FCC, which in turn will be guided by rules, regulations, orders and policies of the War Production Board. Regional administrators will receive no compensation from the Federal Government, but for out-of-pocket expenses for travel and other incidentals connected with the "pools" they will be reimbursed by the stations within the districts concerned.

The plan:

In order to obtain maximum life of domestic broadcast equipment, including vacuum tubes, to use fully replacements now in stock, and to require minimum new material which will be allocated by the War Production Board, the following plan is proposed governing the technical maintenance of standard broadcast stations for the duration of the war:

1. Make a detailed inventory of all the equipment now on hand at all domestic broadcast stations in the continental United States.

2. Establish the requirements for replacement of equipment from stock and from new material by one year periods.

3. Obtain an allocation of the new material and necessary priorities from the War Production Board to satisfy current and future requirements.

4. Make a detailed check of the technical performance of all domestic broadcast stations to establish that they are operating in a manner to give maximum life of equipment, including the vacuum tubes, consistent with good service and in keeping with the Commission's Rules and Regulations and the Standards of Good Engineering Practice. (The regulations and standards should be modified if it can be shown that a worthwhile improvement in the life of equipment will be accomplished.)

5. Divide the United States into "Conservation Districts." These districts will be as large as feasible and to contain as many stations as possible consistent with the requirements of communication and transportation between the stations and the administrator of the district. The districts should contain enough stations that a representative stock supply is available in each district.

6. The DCB will establish a central office in Washington, D. C., and will have control over all districts and the adherence to the plan by stations in the districts, subject, of course, to any final action that may be required by the War Production Board which is the agency set up by law to handle all priority matters.

7. Each district will be controlled by a civilian administrator and two assistants selected from the stations operating personnel in the respective districts.

8. The administrator of each district with the aid of his assistants, as needed, will check the inventory, administer the distribution and redistribution of equipment, requisition new equipment, and determine that proper and efficient operation of each station in his district is maintained. The administrators will operate under a very strict and specific directive issued by the DCB, with the approval of the War Production Board.

9. The Administrator and assistants in each district will be selected at a conference of all stations in each district. An inspector or other Commission representative would preside until the administrator is elected. At this time the duties of the administrator and his assistants will be clearly set out, as well as the responsibility of the station licensee, in order to operate under the program for conservation of equipment.

10. The inventory in each district and between districts will be used as a basis of a redistribution of equipment as required between stations needing such equipment. The

(Continued on page 284)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

WPB WILL CONSIDER EQUIPMENT POOL

(Continued from page 283)

redistribution in a district will be handled by the administrator of that district. The redistribution between districts will be handled through directions from the Federal Communications Commission which will be based on War Production Board rules.

11. Material within a district will remain in its present hands, until such time as it is needed at other stations in the district or in other districts.

12. An inventory will be kept from day to day in each district and at the end of each week it will be cleared with the central office at Washington. All requisitions for additional materials will be sent through the central office.

13. A station will be considered as having the minimum required equipment (except vacuum tubes) when such equipment meets the manufacturers specifications for spare parts. No spare equipment will be taken from a station whose equipment just fulfills the minimum requirements. A station not having the minimum required spare parts will not be supplied spare parts to increase the inventory above that it had on hand January 1, 1942. Any equipment more than the established minimum requirement will be considered in excess of the requirements and subject to redistribution to other stations within the district or to other districts.

Minimum vacuum tube stock will be considered on the basis of the requirements for spare tubes set out in the Commission's Standards of Good Engineering Practice or up to 100 per cent spares, depending upon the previous practice at the station. In case a station had on hand on January 1, 1942, tubes in excess of the requirements set out in the Commission's Standards, the minimum for such stations shall be considered the inventory as of January 1, 1942, provided, however, in no case will minimum requirements be considered more than 100 per cent spares.

In case a station has some part that is known to be subject to failure in excess of the general expectation and yet the transmitter is operating satisfactorily otherwise, this will be taken into consideration in establishing the minimum stock requirements for that station. Records shall be kept of the hours of tube use and the condition of the other equipment.

14. The original holder of equipment will be paid the then current market price of such equipment plus delivery charges when material is transferred from one station to another or from one district to another. The transactions will be on a C.O.D. or credit basis as determined by the seller.

15. Data on vacuum tube life and operating performance will be obtained from station records and tube manufacturers. When possible vacuum tubes will be reactivated. All dead vacuum tubes of over 100 watts output rating will be turned in for the material they contain. There are several other plans of operation that will be studied in connection with these plans. The administrator will own or have available an AC or DC voltmeter with range suitable for checking all filament voltages (0-20 and 0-50 v range) with an accuracy of 1 per cent and scale of 5 inches. Possibly other equipment will be needed. In any event, no new test equipment will be required as sufficient equipment is on hand in the industry.

16. The district administrator and his assistants will receive no pay or subsistence from the Federal Government. They will be repaid for necessary out-of-pocket traveling expenses and subsistence when away from the city in which the station at which they are employed is located. These expenses shall be prorated between the stations in the district on the basis of the highest published daytime ¼ hour rate of each station. The headquarters of the administrator and assistants will be their present office. It is desired that no new civilian personnel or office space be required for these duties.

17. The administrator will be selected on the basis of known administrative ability and willingness to do this work. One assistant administrator will be selected for his technical ability and knowledge of the design and functioning of the technical equipment of stations. The other assistant administrator may be selected for his business or legal knowledge and familiarity with the licensees of his district. All administrators and assistants should be available under present expectancy for the duration of the war. Also careful attention must be given to their availability of time to devote to this work and willingness to do a difficult job in a proficient manner. No occupational deferments from Selective Service will be recommended for the administrator or assistants for this activity.

18. This conservation plan should be put into operation as soon as approved by the DCB and WPB for the industry and the administrative machinery, as outlined, can be set up.

James Lawrence Fly, Chairman of the DCB, declared his gratification with the broadcast industry "share the spare parts" program recommended to the War Production Board by the DCB.

Pointing out that similar pools have been organized within industries in local areas, Mr. Fly said, "I believe that this is the first time a whole industry has proposed to share its repair and maintenance material on a nationwide basis. There may be something here that other industries might find useful when adopted to their particular needs. Should the plan get under way it will have a real meaning to the radio listening public because the broadcasters have shown the foresight to meet the recurring emergencies of equipment failures.

He added that he had promoted this general idea for many months but until very recently the shortages of replacement parts had not become acute. "Operation of the plan, in my opinion," he said, "will result in lessening the pressure put upon the Government for immediate priorities certificates and will assure the public of continued radio listening."

FCC FURTHER RELAXES OPERATOR REQUIREMENTS

Federal Communications Commission has issued Order No. 91-B concerning further relaxation of the rules and regulations governing the requirements for operators of broadcast stations. The order follows:

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of May, 1942,

The Commission having under consideration its Orders No. 91 and 91-A and the request of the Defense Communications Board that the Commission consider further relaxation of its rules and regulations governing the requirements for operators of broadcast stations; and,

It Appearing, That the demand of the military services for radiotelegraph and radiotelephone operators has increased as a result of the war and that such demand has decreased the number of operators qualified for operation of broadcast stations resulting in a shortage of such operators;

It Is Ordered, That until further order of the Commission, notwithstanding the provisions of Section 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators, a broadcast station of any class, which by reason of actual inability to secure the services of an operator or operators of a higher class could not otherwise be operated, may be operated by holders of any class commercial operator license;

Provided, However, That all classes of commercial operator licenses shall be valid for the operation of broadcast stations upon the condition that one or more first-class radiotelephone operators are employed who shall be responsible at all times for the technical operation of the station and shall make all adjustments of the transmitter equipment other than minor adjustments which normally are needed in the daily operation of a station;

Provided, Further, That a broadcast station may be operated by a holder of a restricted radiotelephone operator permit only in the event such permit has been endorsed by the Commission to show the operator's proficiency in radiotelephone theory as ascertained through examination.

Provided, Further, That a Class IV station on a local channel frequency may be operated by a holder of a restricted radiotelephone operator permit which has been endorsed by the Commission to show the operator's proficiency in the operation of the particular station concerned, as ascertained by certification of the first class radiotelephone operator in charge of the station, on condition that in a technical emergency such operator shall not attempt to make any adjustment, but shall immediately shut down the station, and on further condition that the restricted radiotelephone permittee shall show proficiency in radiotelephone theory as ascertained by examination not later than 6 months after the date of the above endorsement.

Provided, Further, That nothing contained herein shall be construed to relieve a station licensee of responsibility for the operation of the station in exact accordance with the Rules and Regulations of the Commission; and,

Provided, Further, That Section 13.61 of the Commission's Rules and Regulations Governing Commercial Radio Operators shall remain in full force and effect except as modified by this order.

The only difference between the story in NAB Reports of April 24 and the order 91-B (May 26) is in regard to class IV stations on local channel frequencies. To reiterate the order specifies that:

A class IV station may be operated by the holder of a restricted radiotelephone operator permit provided he has been certified by the first class radiotelephone operator in charge of the station as being proficient in the operation of that particular station. Within six months of such employment the permittee must pass radiotelephone theory, thus obtaining an endorsement on his license which enables him to continue to operate the class IV station or any other broadcast station on the restricted basis.

Various Classes of Licenses

Holders of all classes of commercial radio operator licenses may now operate broadcast stations.

There are six classes of commercial radio operator licenses; first and second class radiotelephone; first and second class radiotelegraph and restricted radiotelephone and radiotelegraph. The various classes of operators may operate broadcast stations under these conditions:

1. First class radiotelephone—may operate a broadcast station without restriction.
2. Second class radiotelephone, first class radiotelegraph, second class radiotelegraph—restricted radiotelegraph—may operate a broadcast station providing a first class radiotelephone operator is in charge and responsible for the technical operation of the station. These licensees may work as operators but may not make transmitter adjustments which may adversely affect the operation of a station.
3. Restricted radiotelephone—may operate a broadcast station under conditions set out in 2, provided the restricted license is properly endorsed by a field office of the FCC. If the restricted permittee holds a class A amateur license then he may secure the proper endorsement by application to a field office of the FCC. The endorsement may also be obtained by passing the radiotelephone examination on theory required to obtain a class A amateur license.
4. Restricted radiotelephone—may operate a class IV broadcast station on a local channel frequency under conditions set forth under 2 (above) provided the first class radiotelephone operator in charge of the station certifies that the permittee is proficient in the operation of that particular station.

Such operation shall not exceed six months. Within the six months period the permittee must satisfy the conditions set forth in 3. Up to the time when the conditions set out in 3 are satisfied the permittee is allowed to operate only the one station where he has been certified by the first class operator in charge. After satisfying the conditions the permittee is free to operate any broadcast station as outlined in 3.

QUARTZ CRYSTALS CURBED

Strict control over the products for which quartz crystals may be used was ordered, May 18, by the Director of Industry Operations.

Order M-146 provides that, except by specific authorization, they may be used only for these purposes:

Products for use in implements for war, as defined in the order, produced for the Army, Navy, or other Government agencies or Lend-Lease; oscillators and filters for use in radio systems operated by Federal agencies or commercial airlines; and telephone resonators.

Purchasers must certify to the fabricator of products containing quartz crystals that the products will be used only for these purposes.

Holders of 25 pounds or more of quartz crystals, or 10 pieces in a manufactured form not incorporated in a mounting, as of May 18, must report to the WPB by June 20, on Form PD-484. Consumers also must report monthly on this form by the 20th of the month.

VINYLITE

There is every indication that the June supply of Vinylite for transcriptions will be but little affected by military demands, and that the July supply "will not be too bad," WPB officials stated Thursday. Beyond then the situation is clouded, although a large demand by the Army is anticipated and when it comes there will be a curtailment of the quantity of Vinylite for allocation to the transcription industry, it was said. Vinylite can be used to replace sap rubber in rain-coats and many other articles needed by the armed forces. The quantity available for phonograph records in June will be materially reduced, it is reported.

Transcription company executives advised NAB that an estimated 500,000 to 1,000,000 pounds—"perhaps 800,000 to 900,000 pounds"—are used annually in the manufacture of transcriptions.

Consideration is being given to ways and means of returning old transcriptions to the manufacturers, and an announcement on this is expected next week.

SUPPLEMENTARY GAS RULES

Applicants for additional rations of gasoline were urged by the Office of Price Administration May 20 to arm themselves with the necessary facts about their driving requirements before asking their local rationing boards for supplemental cards.

Not only must the applicant sign his statement of fact, but, if he is an employee and the supplemental ration is needed to carry on his work he must also present the affidavit or affirmation of his employer, or an authorized representative of his employer.

Under the gasoline rationing regulations, the board is authorized to grant supplemental rations only if it finds that they are "essential to life or to the pursuit of a gainful occupation and that no reasonably adequate alternative means of transportation are available." The board in granting a supplemental ration will issue an A card or whatever B card or combination of cards, are necessary to provide for the amount of the ration.

The applicant must state why his present ration is insufficient. He must support this reason with facts. Next, the applicant must state what means of public transportation are available to him.

Other questions ask the applicant to state what vehicles owned by members of his family, or by friends or business associates are available to his use, and to specify what effort has been made to "double-up" with other car owners.

If, by his answers to all these questions, the applicant has indicated his present supply of gasoline is inadequate, he is asked to state "the minimum mileage which you declare is absolutely essential to you up to midnight, June 30, 1942?" The calculations made in arriving at this estimate must be set down on the application.

FOREIGN LANGUAGE CODE

Art Simon, WPEN, Chairman, and Griff Thompson, WBYN, Secretary-Treasurer, of Foreign Language Broadcasters Wartime Control (industry self-regulatory body set up at Cleveland during the NAB Convention), met in Washington this week with NAB officials, with J. Harold Ryan, Asst. Director of Censorship, with Lee Falk, radio head of the Division of Foreign Languages of the OFF, and with Chairman Fly of the FCC.

The Executive Committee of FLBWC last week in New York voted to establish offices in NAB headquarters in Washington. Mr. Simon and Mr. Thompson were offered suitable space, filing and mimeographing facilities by NAB. No definite arrangements have been made to date.

MORE ITEMS IN MAY FORM

The May "War Effort Broadcast Reporting Form" will be mailed to all stations Saturday, May 30. It contains several more items than heretofore in order that stations may report their experience with the OFF Radio War Guide.

Attached was the list of stations which submitted reports, up to and including May 28, for the month of April. Also listed were stations providing March reports, but not received in time to be included in the report for March sent to all stations.

THE OFF ADVISES

The OFF advises that the Navy, Marine Corps and Coast Guards are to be considered by broadcasters as three separate and distinctive agencies for the purpose of allocating spot announcements.

The first OFF Radio War Guide had as its second item, "NAVY (including Marines and Coast Guard)." This caused a number of program managers to wonder whether it was OFF's idea that one allocation was to be made for Navy announcements which would be divided into three smaller time blocks.

HERE IS A GOOD ONE

Here's an idea which Harold E. Smith, general manager, WOKO, Albany, N. Y., put into practice. It's an idea that with variations well might be used from coast to coast and from Canada to the border.

Something seemed wrong to Manager Smith and his staff as from Radio Center they watched inductees march past on the way to the railroad station, military police front and rear of the column—no bands, no flags—nothing to show that anybody was very much interested in the boys on their first lap of a journey that would take many of them around the world.

It was consensus soon that they should do something about it. Officers at the induction center approved and told Mr. Smith, among other things, that these men frequently spent an entire afternoon waiting at the State Armory with nothing to do and without smokes.

All this was changed beginning May 13. Now the inductees march down to Radio Center at 2:30 p. m. with colors and a band at the head. In Radio Center auditorium WOKO announcer, Forrest Willis, runs a show that keeps the boys entertained for an hour, with volunteer radio and professional talent from the hotels and other spots. Cigarettes, cigars, ice cold pop and chewing gum are passed out to the men, purchased by donations from interested individuals and business firms in Albany.

At 3:15 p. m., the boys have their own program on the air. After some group singing, roll call is given, the selectees stand at attention, and are then and there sworn into the Army of the United States. Program closes with the men singing the Star Spangled Banner. Later in the afternoon the same band and colors precede the new inductees to the railroad station, and it's a happy enthusiastic bunch that gets on the train.

Mr. Smith received permission for the induction broadcast from Major Gustave Ericson, Commander of the Northeastern New York District. Assisting in the daily preparations are Major A. B. Cohen, Captain Harry Fabricant, Lieutenants Andrew J. Malatesta and C. Bollinger.

To date five Radio Center "parties" have been given for several hundred men from Capital District cities. They will continue each day the induction station is operating in Albany.

TELLS 'EM IN RHYME

There was a smart fellow named Myers
Who had little tread on his tires.
He wouldn't take heed
Of his excessive speed—
An attitude no one admires.

Jack Price, WBNS program director, has turned rhymester. He uses his talent to educate the good folks of Columbus to walk the conservation pathway. The above is one of the examples published in a color feature page of the Columbus Sunday Dispatch, April 26. The page, fully illustrated, told a complete story of the station's all-out war effort.

IT WORKS IN ALBANY, TOO

Manager Chet Wheeler has just finished a successful bit of experimentation over KWIL, Albany, Oregon.

Success stories of Red Cross drives, War Bond drives, etc., published in NAB REPORTS set him thinking. And what is better, they inspired him to determine whether the same types of programs would not be as effective in a small area, such as his, as in a large area. The answer was found in the affirmative.

"When the United China Relief came along," said Mr. Wheeler, "we decided for a Saturday evening test, May nine, 8-9 p. m. The hour featured our most outstanding local talent and dramatic sketches depicting the suffering in China. Listeners were asked to phone in their contributions during the program, and the money would be picked up by Boy Scouts, who had been located throughout the city.

"The same procedure was carried out at our Lebanon studio, and from time to time our Lebanon announcers broke into the program with entertainment and names of contributors. Clubs, Organizations, and Unions were represented on the program, and presented their checks formally over the air. In both our Albany and Lebanon studios the telephone rang constantly from the time the program started until after we had signed off. Approximately five hundred dollars ($500.00) was raised during that hour for United China Relief. The program was a huge success."

GIVES EXTRA LIFT TO MARINES

A. K. Redmond, Manager, WHP, Harrisburg, Pa., has been giving the Marine Corps an extra lift.

On looking over his schedule some time ago, his eyes lighted on the Monday, Wednesday and Friday, 6:15-6:30 p. m., sports feature which was unsponsored. Mr. Redmond assigned this quarter hour to the Marine Corps, treating the period exactly as though it were a commercially sponsored program.

"This has worked out very satisfactorily from all angles and the Marines have been exceedingly well pleased," he wrote, "and it's in addition to the spot announcements which we are running."

FIRST TIME FROM ARMY POST

In furtherance of its public relations and morale building ideas, WBIG, Greensboro, N. C., threw a line into Fort Bragg, N. C., to broadcast, on May 13, "Ballad for Americans."

Major Edney Ridge, WBIG director, said that 40 negro voices from the 95th Engineers, aided by 16 colored female singers from the State Teachers College, Fayetteville, were the personnel that enabled this modern cantata to be presented for the first time from an Army post.

The job was undertaken by Corporal Peter Witt, public relations office, Fort Bragg. Private Otto Helbig was music director.

ABOUT ADVERTISING NOW

KVOO, Tulsa, has just circulated to those on its client and prospect list, a legal size mimeographed promotion piece labelled "About Advertising Now." It presents the case for continuous advertising throughout the war period and reaches back into World War I for examples to illustrate its case.

WSB RETAILERS RADIO NEWS

Every month NAB receives "WSB Retailers Radio News," which is an excellent example of program promotion among grocers and druggists. The "News" consists of four pages, 6 x 9, with much art work and punchy paragraphs concerning programs. Included as an insert in each copy is a list of the food and drug items advertised over the station.

COST OF LIVING

The cost of living in large cities increased 0.7 per cent between mid-March and mid-April, the Labor Department reports. The cost of living has now increased 17 per cent over the period since the war started in August, 1939.

NEW LABOR PROGRAMS

Two new weekly, union radio shows went on the air this week.

In New York, a regular "Win the War" show will be presented as part of the Industrial Union Council's Win the War Campaign, according to President Joseph Curran.

The shows will be presented at 9:30 p. m. every Friday on Station WQXR. The series, which will dramatize the war effort of all the people, will be prepared by members of affiliated unions in cooperation with the Newspaper Guild of New York.

In Indianapolis, station WIRE has given the labor movement 15 minutes a week for the duration of the war, because the station manager, Eugene Pulliam, head of the State War Savings Staff, was so impressed with labor's cooperation in the war bond drive.

KWIL STAFF 100%

Chet Wheeler, KWIL, Albany, Oregon, reports that his entire staff is spending 10 per cent of its entire payroll for War Bonds and Stamps.

RADIO, THE WAR, AND THE NEW AMERICA

By Earl J. Glade, Vice-President KSL, Chairman Code Committee, National Association of Broadcasters

(Mr. Glade made the following address at the Cleveland Convention)

President Miller, distinguished guests, ladies and gentlemen, fellow-workers, I am sure you have the profound thanks of the industry for the informative stimulation we have received this morning from our distinguished guests, representing the Office of Censorship, the War Department, the Navy Department and the British Army staff—and the Marine Corps, we mustn't forget the Marine Corps, and the charming representative who was sent here this morning. I don't know whether I am safe in using the word "charming" in connection with so gallant an officer, but it slipped out because he had such a charming manner.

Their brilliant discussions have made it clear that in their public relations work they fully evaluate the three basic factors which control life—the three human constants through the windows of which this serious-minded convention can see into the future: first, human nature; second, human needs, cravings and aspirations; and third, human ingenuity.

It is, of course, gratifying to us of the industry that these gentlemen who carry great responsibility in our War Administration, recognize the potency of radio as a powerful means of intelligence transmission.

And, now, I am supposed to be a summator on this brief program. May I stress one or two items I think will be of interest?

It may have taken December 7 to demonstrate again how utterly far thirty or forty minutes of broadcasting in our homeland can travel. This incredible coverage is due to four vital factors: first, competent authorities declare that three-fourths of the time spent each day by Americans in their communicative behavior is devoted to talking and listening. This is a significant element in handling radio news. Secondly, we operate the world's greatest assembly of modern broadcasting stations and coast-to-coast networks; thirdly, we have unexcelled news-gathering agencies and news analysts who enjoy every reasonable freedom compatible with our country's safety; and fourthly, our American citizens own fifty-six million radio sets to which is available about eighteen hours of programming daily from each of about nine hundred stations. At 5.1 hours of listening per capita, per day, Americans spend considerably upwards of one-half billion of person hours each day at their radio sets. They do this in good conscience and without fear of a snooping Gestapo.

Through its Code Committee, the industry as represented in the National Association of Broadcasters, endeavors to do its own self-disciplining. This has found recent expression in appreciable improvements in the handling of news and interpretations thereof. The completeness of the industry's coverage of the situation in every war theatre throughout the world is one of the great miracles of all time. This is done, of course, in close collaboration with the Office of Censorship and the Office of Public Relations of the Army and Navy. The recent complete disposition of the case of Father Coughlin by the Government is also a vindication of the Code Committee's work on the matter of handling controversial issues.

There is no system of measuring the formidability of the impact against the enemy, of the measured words of Prime Minister Churchill in his address of yesterday. They must have had a devastating effect on Axis morale. There you saw and heard the miracle of radio as an incomparable factor in the war effort.

But friends, Hitler on his side of the ocean, has not been idle. He was the first to sense the power of the combination of the radio and the press, tied in with aviation, propaganda and regimented youth education, to crush and to lay prostrate. Years before the war broke out Hitler had Dr. Goebbels organize his brilliant propaganda staff. Many of the members thereof visited America and studied the techniques of our great advertising agencies and publicity experts. Most of these visitors were clever young Ph. D's. The year-long effusions of 17 Battery Place, New York City, were a sample of their genius.

In addition, Dr. Goebbels has had a group of smart American renegades working for him. Bill Joyce of Brooklyn, Fred Kaltenbach of Waterloo, Iowa, Ed Delaney of Glenview, Illinois, Doug Chandler of Chicago, Jane Anderson of Atlanta, Constance Drexel of Philadelphia, and others. Charles J. Rolo tells the story in "Radio Goes to War."

When he started, Hitler had a natural edge on us. Although Germany then consisted of 26 kingdoms, duchies, arch-duchies and principalities, they were homogeneous in the matter of language and customs.

In our country we have a vastly different problem. Hitler knows this, and in the desperation of the terrible hours he will suffer this year, he will rely on it as never before. He is counting heavily on what he can do because of American heterogeneity. On our Silver dollars we stamp the Latin phrase: E Pluribus Unum. One out of many. That's true, we certainly are, but here is what we of the United States actually are:

One-third of a million Indian
One-third of a million each of Oriental, Filipino and Mexican
Ten million Irish
Sixty-five million Anglo-Saxon
Fifteen million Teutonic
Nine million Slavic
Five million Italian
Four million Scandinavian
Two million French
One million each of Finn, Lithuanian and Greek
Fifteen million Negro

And in addition, we are:

Two million Anglican-Episcopalian
Forty million Evangelican Protestant
One million Greek Catholic
Six million Jewish
One million Latter Day Saint
One-tenth million Quaker
One-half million Christian Scientist
Twenty-six million Catholic

To build out of these varied groups a homogeneity that in this crisis will think alike, appreciate alike, and act alike is a task for the great.

Surely a means of communication like radio broadcasting with a near ninety percent saturation our country over has a real opportunity to serve in building the unity sought by our great President.

Now fellow-broadcasters, the most dangerous epochs in history are those in which mind out-distances spirit. We are confronted with such an epoch right now—a time when the whole world is concentrating on the making of machinery and equipment for destroying the human race. Vital as is this important technological effort, at the same time more consideration can also be given to what are usually termed the higher consecrations. We can be better Americans in so doing. We can turn out more equipment for the war effort at the same time. In fact, in the new America which is being born in this hour of travail, if we are to know the glorious freedoms which have made life here so vital, ours must indeed be the interests and the loyalties of a citizenship at its best.

The quality of that citizenship depends on four sets of reactions, as I see it. The first set embraces,

The way we deal with things.

It has now dawned on us that no matter what their form, things have almost a sacred character, these very things the radio has made us want so utterly. Already our attitude toward them is appreciably changed. We are beginning to realize what things represent in energy and material expenditure. A loaf of bread, a fountain pen, a transmitter tube, some copper wire, a suit of clothing, a radio set, and most certainly an automobile tire.

The way we deal with these and other things will indicate, in part, the quality of our Americanism. The care we give our automobile is a part of us; the way I treat a book or read a newspaper; the manner in which I keep my desk, pay my bills, tune my radio, care for my lawn, drive my car, is an extension of my personality. It is a mark of my Americanism.

Now, in the days ahead, waste and extravagance will be a mark of disloyalty because there will be the greatest dearth of, and hunger for things that the human race has ever known. Millions will need and want, but at least, at first, there will be little available to meet those needs and those wants.

The second set of traits that will function vitally in building the American of tomorrow is:

The way we deal with people.

That is our social sense. With seven million men in our armed forces and a hundred million backing them up on the industrial front, every home in America will be touched.

Although our folk are resolute and courageous, they are also sensitive. Our children have not been reared to become cannon fodder. They know the love of family life and the joys of the American home. There will be much sensitivity in our great land. We must respect it. That is one of the reasons for the great precautions we are taking in our handling of radio news. When we see a man on the street, we don't know the burden he is carrying. Last Monday on entering the Salt Lake City Chamber of Commerce, I ran onto the president of the National Ski Tournament. Noticing that he looked depressed, I inquired how he was. He reluctantly responded by saying he had just received word that his father had been shot by the Gestapo in Norway and that his brother was lost on a Norwegian freighter off the coast of Florida. Yet, I doubt he would ever have told me had I not borne down. We just don't know the burden men are carrying.

Mr. President, we must also be careful in our own businesses. For instance, ponder for a moment the cost American industry pays needlessly because, too often, it carelessly puts uneasiness and worry into the hearts of people. One sociologist has suggested such unnecessary failings on the part of all of us as:

1. Brusque assertiveness.
2. Not giving people enough time to present a point.
3. Making people feel guilty.
4. Judging people by externals.
5. Sanctifying prejudices.
6. Choosing the wrong moment to mention something.
7. Finding fault with half expressed ideas.
8. Shouting to convince, and a hundred others.

Yes, my friends, if the race survives, a lot of high-handedness and selfish covetousness, both in the capital and labor groups, will have to disappear. Hard-boiled, unfair dicta from self-seeking pressure groups can spell finis to the United States, that we have known.

What will it take to teach us that the most deep-seated of human needs is the need to collaborate with other men?

When our chief engineer, with whom I have been associated for the past fifteen years, on leaving for the United States army service a short time ago, reached out his hand to me and said tearfully, "I like you not only for what you are, but also for what I am when I am with you. I like you not only for what you have made of yourself, but also for what you have made of me," he helped me to know the real humility. I did not realize he felt that way.

Such are, indeed, the lasting compensations. Some day, possibly, we shall learn that in the long run, we keep only what we share. In the words of the ancient epitaph: "What I spent, I had; what I kept, I lost; what I shared, I have."

Leadership in the new America will know the power of this concept. It will exemplify that bit of sentiment in the phrase: "When I met him, I was looking down; when I left him, I was looking up."

The third set of traits that will characterize the new American will have to do with:

The way we deal with ideas.

That is our intelligence. It is generally recognized that the most potent thing in the world is an idea whose time has come. At this moment, we are in the center of the greatest technological era in history. A magnificent new day is emerging and with it the crystallizing of a hundred thousand new concepts. The radio industry, I declare, is one of the most provocative influences in it all. Today's rationing, with all of its heartaches and headaches, is really a tremendous motivating power. It reaches out a daring challenge to American skill, resourcefulness and ingenuity. The future of the United States is still ahead of us, regardless of what the skeptics, cynics, defeatists and agnostics declare.

We of radio are anchored to an industry so new and so freighted with possibilities that it fits perfectly into the millennium of achievement toward which we are heading.

Leadership need not be afraid of enthusiasm. There will always be enough apathy on the part of the people to apply such brakes as are necessary. Remember, as we have been so frequently reminded, people won't take the initiative if they can avoid doing so. People won't act unless prodded. People won't give up their prejudices without a struggle. People won't concentrate unless sternly disciplined. People won't work without continually renewed incentives. People won't readily forsake the old for the untried. People will fight for freedom, but too often they won't vote to sustain it. There is always inertia to overcome.

Now, the fourth and the last set of traits covers:

The way that we deal with ourselves.

This reaction makes up our character. To fit times like these, we must be hard of body, hard of mind and hard of purpose. We must be adaptable or we perish.

The relevations of the Selective Service indicate that if we are to survive as a nation, we must face a severe physical challenge. The vaunted American citrus fruits, vitamins, bathtubs, and air-conditioning for some reason are not achieving what they should. We should show far more respect than we do for the American physical machine. If you question that, try in your neighborhood to find one hundred men who can pass the examination of a battery of army doctors.

The mental American, in large part, is a product of our schools. He must show predominantly those qualities that have built our great leadership. Radio, too, has helped him tremendously. Here are these mental qualities that will prove so necessary in the years ahead: enthusiasm, observation, initiative, tact, courtesy, perseverance, concentration, decision, judgment and purpose.

The spiritual American will function mightily as the great new era comes rolling in. His must be a galaxy of positive spiritual qualities such as courage, truthfulness, confidence, loyalty, faith and honesty.

So then, my friends, the way we deal with things, people, ideas and ourselves, will indicate the character of our worth to humanity. America needs much of us. America expects much of us. We must not let her down.

It is my humble thesis that the miracle of radio broadcasting in its varied enthusiasms and exaltations will help men to set for themselves the great renewing ideals so vital in the interesting world in which we are to live.

Our first assignment is to exert every foot-ton of energy the radio industry can develop to win the war. Our second assignment is to call upon every resource we possess in helping our beloved America, and right thinking men the world over, to win the peace.

I thank you.

Listener Activities

The recently organized Louisville (Ky.) Radio Council has promulgated some tips on how to listen to war news. They follow:

1. Select intelligently your daily listenings.
2. Listen accurately to war news commentators.
3. Listen consistently until news is completed.
4. Do not let your emotions affect your better judgment.
5. Learn to separate news from possible propaganda.
6. Listen cautiously to foreign broadcasts from Germany, Italy and Japan.
7. Refrain from circulating rumors.
8. Listen calmly to bad news.
9. Keep faith in our government and fighting forces.
10. Retain undying belief in our spiritual heritage and Victory.

DOROTHY LEWIS TO ORGANIZE WOMEN DIRECTORS

Under the department of Coordinator of Listener Activities, during the 1942 NAB Convention in Cleveland, a meeting was held for Directors of Women's Activities. During 1940-41 several extensive tours of stations, Dorothy Lewis discovered that these women directors were entirely out of touch with one another. They are, however, carrying considerable responsibility particularly in wartime. This first conference demonstrated clearly a need for closer cooperation and collaboration. It was voted to form an "Association of Radio Directors of Women's Activities." Membership will be developed on a NAB district basis with a district chairman for each area. It is hoped that in this way, balance of power will not shift to any one center and that at least one meeting a year can be held. Dues will be nominal.

It was further voted to develop a monthly news letter to be distributed to all women directors at first, later perhaps to members only. This plan will acquaint the group as a whole with success stories, pertinent wartime information and defense propaganda, etc. Miss Jane Weaver of WTAM, Cleveland, and Miss Eleanor Hanson of WHK, Cleveland, agreed to act as temporary editors for one year, acting in cooperation with Dorothy Lewis, NAB Coordinator of Listener Activity.

While we have names of about 300 women directors, we know that there are constant changes in personnel. Therefore will you forward to Dorothy Lewis, NAB, the correct names and titles of women of your station, who are doing the work of director of women's activity or carrying a sponsored or sustaining women's hour. Upon receiving such information we will then submit to them the list of all such women in their districts.

To expedite organization and operation, Mrs. Lewis is appointing temporary chairman and officers to carry on until other regional and national meetings are held, when elections can be held in due order.

Let us hear from you at an early date, giving names of women on your staff.

RADIO IN CLASSROOM

Resolution passed by the National Society of New England Women in convention, Cleveland, May 17, 1942.

Whereas, education of youth of our nation has always been of paramount importance to the peoples of New England, and is now of even greater significance,

Resolved, that the National Society of New England Women recommends to the Federal Office of Education and all State Boards of Education that the use of radio in the classroom be recognized and made an integral part of the school curricula under a plan which will place control in the hands of the class room teacher to the end that children may be properly guided in respect to their listening habits, and that the selection of programs for class room use be made with a view to bringing to the children an understanding of all phases of radio broadcasting, including its educational, cultural, social, news and entertainment contributions.

JOHN R. ("DOC") BRINKLEY

John R. Brinkley, 56, died of heart trouble this week in San Antonio.

COMING CONVENTIONS

AFM—June 8, Hotel Baker, Dallas
RMA—June 9, Hotel Stevens, Chicago
AFA—June 21, Hotel Commodore, N. Y. C.

FEDERAL LEGISLATION

HOUSE

H. R. 7127 (Keogh, D-NY) COPYRIGHT—To codify and enact into absolute law title 17 of the United States Code, entitled "Copyrights." Referred to Committee on Revision of the Laws.

STATE LEGISLATION

Louisiana:

H. 51 (Kay) BLACKOUT LAW—Relating to blackouts and other precautionary measures against air raids. Referred to Committee on Judiciary C.

H. 222 (Pearce & Guilbeau) SWEET POTATO TAX—Provides for a sweet potato advertising tax. Referred to Committee on Agriculture.

S. 89 (Wingrave) LIQUOR ADVERTISING—Prohibits advertising of intoxicating liquor. Referred to Committee on Judiciary 8.

ARIZONA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Apache	5,240	27.5	1,433	......	....	......	1,971	59.2	1,167	3,269	8.1	266
Cochise	9,190	77.5	7,126	3,991	82.5	3,294	3,902	76.0	2,966	1,297	66.8	866
Coconino	4,677	52.7	2,459	2,061	74.9	1,543	926	67.2	623	1,690	17.3	293
Gila	6,616	73.2	4,844	3,094	83.1	2,571	2,897	70.1	2,031	625	38.8	242
Graham	2,894	64.9	1,878	......	....	......	1,822	70.6	1,287	1,072	55.2	591
Greenlee	2,185	73.4	1,602	659	71.9	474	1,215	77.7	944	311	59.3	184
Maricopa	50,455	73.8	37,208	23,273	82.6	19,226	17,779	69.3	12,316	9,403	60.3	5,666
Mohave	2,654	64.6	1,713	......	....	......	2,301	67.4	1,551	353	46.0	162
Navajo	5,911	44.2	2,629	1,272	84.1	1,070	1,999	64.7	1,293	2,640	10.1	266
Pima	19,050	79.3	15,092	9,964	86.0	8,568	8,015	75.2	6,025	1,071	46.6	499
Pinal	6,979	54.7	3,815	......	....	......	4,906	62.5	3,066	2,073	36.1	749
Santa Cruz	2,377	66.6	1,582	1,277	72.0	919	801	61.9	496	299	55.8	167
Yavapai	7,822	72.4	5,666	1,917	81.2	1,556	4,932	70.0	3,452	973	67.6	658
Yuma	5,083	65.9	3,347	1,416	78.2	1,107	2,347	60.9	1,429	1,320	61.4	811
State Total	131,133	69.0	90,394	48,924	82.4	40,328	55,813	69.3	38,646	26,396	43.3	11,420

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Phoenix	Maricopa	19,287	84.2	16,249
Tucson	Pima	9,964	86.0	8,568

DELAWARE

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Kent	9,672	75.2	7,278	2,278	83.9	1,910	4,180	77.3	3,230	3,214	66.5	2,138
New Castle	45,948	92.8	42,656	32,332	93.3	30,158	11,416	93.1	10,624	2,200	85.2	1,874
Sussex	14,921	76.7	11,446	2,460	87.3	2,147	6,234	80.8	5,036	6,227	68.5	4,263
State Total	70,541	87.0	61,380	37,070	92.3	34,215	21,830	86.5	18,890	11,641	71.1	8,275

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Wilmington	New Castle	29,293	93.2	27,308

NAB Research Department May 26, 1942

FEDERAL COMMUNICATIONS COMMISSION

FLY DISCUSSES APPLICATIONS

FCC Chairman, James Lawrence Fly, at a press conference on Monday discussed pending broadcast applications for construction permits.

He stated that many applicants for permits either directly or indirectly were continuing to press for action by the Commission for construction and use of materials. Mr. Fly called attention to the fact that of course it was a natural tendency on the part of each applicant to stress his own case as being particularly "meritorious" because, for example, the materials for most of them were available and also because various procedural steps had already been taken.

"Needless to say," the Chairman stated, "the Commission would like very much to recognize these very cases and make the grants and get the stations going. But we are faced with the requirements of the WPB and with actual rules that have been adopted to meet the war time situation. We simply cannot operate under the rules by starting a line of deviations. Those rules are deemed essential for war purposes. Be that as it may, so long as those are the rules in both the Commission and the industry, there is no alternative but to live up to them. We expect to make no exceptions except those that are clearly indicated on the face of the rule itself. I would strongly advise applicants faced with this war time problem not to waste their time and energies, and money of themselves or the Government in endeavoring to pursue the applications which run counter to the rules. The best we can hope to do in the broadcasting field is to consolidate our position and to endeavor to keep the present broadcasting structure on a firm and successful and enduring foundation for the period of the war. In that effort, of course, the industry will have the complete cooperation of the Commission and all the assistance it can render consistently with the requirements for active war work."

Mr. Fly stated in answer to a question regarding the relaxation of operators' licenses for low-powered stations that the Commission has this under consideration. He called attention to the fact that the Commission has already relaxed the standards and taken substantial steps to alleviate that situation. However, he stated that the Commission has been impressed recently with the needs of the low-powered stations and "we are giving that further attention."

NEW FCC APPOINTMENTS

E. M. Webster, Assistant Chief Engineer and Chief of the Safety and Special Services Division of the Engineering Department of the FCC, has been called to active service as Chief of Communications of the United States Coast Guard. To fill this important post while Mr. Webster is on duty with the armed forces, the Commission today appointed Mr. William N. Krebs to be in charge as Chief of the Safety and Special Services Division.

Because of the vital importance of the work of the National Defense Operations Section of the Field Division of the Engineering Department and the increased responsibilities recently assigned in connection with the war effort, the Commission today raised the status of this section to that of a division. The new division will be known as the "Radio Intelligence Division" of the Engineering Department. Mr. George E. Sterling, who formerly served as Chief of the National Defense Operations Section, was appointed Assistant Chief Engineer and Chief of the Radio Intelligence Division.

These changes will become effective on June 1, 1942 and continue for the duration of the war.

924 STATIONS

During the month of April, 1942, the Federal Communications Commission issued operating licenses to two stations. No permits were granted for the construction of new stations. A comparative table by month follows:

	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1
Operating	836	849	854	859	859	869	877	882	887	891	893	897	899
Construction	55	48	43	44	53	44	38	37	36	32	31	27	25
	891	897	897	903	912	913	915	919	923	923	924	924	924

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 1. They are subject to change.

Monday, June 1

WEEU—Berks Broadcasting Company, Reading, Penna.—C. P., **850 kc.,** 5 KW, unlimited, DA-night.

Tuesday, June 2

NEW—Lake Shore Broadcasting Corporation, Cleveland, Ohio.—C. P., **1300 kc.,** 5 KW, unlimited, DA-night & day.

Wednesday, June 3

NEW—William L. Klein, Oak Park, Ill.—C. P., **1490 kc.,** 250 watts, unlimited.

Consolidated Hearing

KGGM—New Mexico Broadcasting Co., Albuquerque, N. M.—C. P., **590 kc.,** 5 KW day, 1 KW night, unlimited, DA-night.

KVSF—New Mexico Broadcasting Co., Santa Fe, N. M.—C. P., **1260 kc.,** 1 KW, unlimited.

Other Participants

Springfield Broadcasting Co. (KGBX), Springfield, Mo.

Thursday, June 4

WIBC—Indiana Broadcasting Corporation, Indianapolis, Ind.—C. P., **1070 kc.,** 5 KW night, 10 KW day, unlimited, DA-night.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—C. P., **580 kc.,** 1 KW, DA-night, unlimited.

Friday, June 5

NEW—Ralph W. S. Bonnett, Sandusky, Ohio.—C. P., **1450 kc.,** 250 watts, unlimited.

Further Hearing

NEW—Granite District Radio Broadcasting Co., Murray, Utah.—C. P., **1490 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATION GRANTED

WKAQ—Radio Corp. of Porto Rico, San Juan, Puerto Rico.—Granted construction permit (B-P-3489) for move of transmitter and studio location.

DESIGNATED FOR HEARING

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Designated for hearing application for renewal of license (B1-R-222), and temporary license granted pending determination upon renewal application.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Designated for hearing application for renewal of license (B1-R-223), and temporary license granted pending determination upon renewal application.

W9XZY—Pulitzer Publishing Co., St. Louis, Mo.—Designated for hearing application for renewal of facsimile broadcast station license (B4-RFB-5).

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending October 1, 1942:

KDYL and auxiliary, Salt Lake City, Utah; WASH, Grand Rapids, Mich.

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—Granted renewal of license for main and auxiliary for the period ending June 1, 1944.

WHA—State of Wisconsin, University of Wisconsin, Madison, Wis.—Present license extended upon a temporary basis only, pending determination upon application for renewal, for the period ending August 1, 1942.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Present license extended upon a temporary basis only, pending determination upon application for renewal, for the period ending August 1, 1942.

WMUR—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Present license extended upon a temporary basis only, pending determination upon application for renewal, for the period ending August 1, 1942.

WSGN—The Birmingham News Co., Birmingham, Ala.—Present license extended upon a temporary basis only, pending determination upon application for renewal, for the period ending August 1, 1942.

WNBZ—Upstate Broadcasting Corp., Saranac Lake, N. Y.—Present license extended upon a temporary basis only, pending determination upon application for renewal, for the period ending August 1, 1942.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending July 1, 1942:

KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KFJB, Marshalltown, Ia.; KGGF, Coffeyville, Kans.; KGIW, Alamosa, Colo.; KGKL, San Angelo, Texas; KMTR, Los Angeles; KPLT, Paris, Texas; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KWLK, Longview, Wash.; KXL, Portland, Ore.; WBRB, Red Bank, N. J.; KRBC, Abilene, Texas; KWKH, Shreveport, La.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WCOC, Meridian, Miss.; WFMD, Frederick, Md.; WFPG, Atlantic City, N. J.; WGRM, Greenwood, Miss.; WMFJ, Daytona Beach, Fla.; WMIS, Natchez, Miss.; WORK, York, Pa.; WSPB, Sarasota, Fla., and WKBW auxiliary, Buffalo, N. Y.

Licenses for the following were extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending July 1, 1942:

KGVO, Missoula, Mont.; KMBC and auxiliary, Kansas City, Mo.; KTBC, Austin, Tex.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; WBRC, Birmingham, Ala.; WCAE and auxiliary, Pittsburgh, Pa.; WCAX, Burlington, Vt.; WCOP, Boston, Mass.; WDSU, New Orleans; WHLD, Niagara Falls, N. Y.; WAAT auxiliary, Jersey City, N. J.; WAPO, Chattanooga, Tenn.; WGR auxiliary, Buffalo, N. Y.; WMRO, Aurora, Ill.; WOOD, Grand Rapids, Mich.; WOV and auxiliary, New York City; WSPR, Springfield, Mass.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Present license further extended upon a temporary basis to July 1, 1942, pending determination upon application for renewal.

W8XUM—WBNS, Inc., Columbus, Ohio.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending July 1, 1942.

W3XDD—Bell Tel. Laboratories, Inc., Whippany, N. J.—Present license further extended upon a temporary basis to July 1, 1942, pending determination upon application for renewal.

W3XPY—Bell Tel. Laboratories, Inc., Whippany, N. J.—Present license further extended upon a temporary basis to July 1, 1942, pending determination upon application for renewal.

W8XO—The Crosley Corp., Mason, Ohio.—Present license further extended upon a temporary basis to July 1, 1942, pending determination upon application for renewal.

W9XER—Midland Broadcasting Corp., Kansas City, Mo.—Present license further extended upon a temporary basis to July 1, 1942, pending determination upon application for renewal.

W5XAU—WKY Radiophone Company, Oklahoma City, Okla.—Present license further extended upon a temporary basis only to July 1, 1942, pending determination upon renewal.

WELI—City Broadcasting Corp., New Haven, Conn.—Granted renewal of license for the period ending August 1, 1944.

WFLA—The Tribune Co., Tampa, Fla.—Granted renewal of license for the period ending August 1, 1944.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Granted renewal of license for the period ending August 1, 1944.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted renewal of license for the period ending August 1, 1944.

MISCELLANEOUS

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Granted modification of construction permit as modified, which authorized changes in directional antenna system and increase in power, for extension of completion date from April 20, 1942 to October 31, 1942 (B2-MP-1550).

WDLS—Hobart Stephenson, Milton Edge, and Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, Jacksonville, Ill.—Granted license to cover construction permit as modified for new station (B4-L-1575); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1315).

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Granted license to cover construction permit which authorized installation of new transmitter and antenna and move of transmitter and studio location (B5-L-1626); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1357).

KVCV—Golden Empire Broadcasting Co., Redding, Calif.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1389).

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted authority to determine operating power by direct measurement of antenna power (B2-Z-1391).

WJW—WJW, Inc., Akron, Ohio.—Granted modification of construction permit which authorized installation of new transmitter and directional antenna for day and night use, increase power, change of frequency, and move of transmitter, for change in proposed transmitter location, changes in directional antenna for day and night use, and extend commencement and completion dates from March 20, 1942, and September 20, 1942, to 60 days after grant and 180 days thereafter respectively (B2-MP-1563).

W47P—Walker and Downing Radio Corp., Pittsburgh, Pa.—Granted license to cover construction permit as modified and which authorized new high frequency broadcast station (B2-LH-5).

KVOD—Colorado Radio Corp., Denver, Colo.—Granted modification of construction permit as modified for increase in power, install new transmitter and changes in directional antenna, for extension of completion date from May 29 to June 29, 1942 (B5-MP-1565).

WSAN—The Yankee Network, Inc., Providence, R. I.—Granted modification of construction permit which reinstated construction permit B1-P-2037, as modified for changes in directional antenna and increase in power, for extension of completion date from May 9 to July 8, 1942 (B1-MP-1562).

WHIT—Coastal Broadcasting Co., New Bern, N. C.—Granted license to cover construction permit as modified for new station (B3-L-1658); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1390).

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted petition for leave to dismiss without prejudice application for construction permit to operate on **630 kc.**, 5 KW day, 1 KW night (Docket 6196).

WMIN—WMIN Broadcasting Co., St. Paul, Minn.—Granted petition for leave to dismiss without prejudice application for construction permit to operate on **630 kc.**, 5 KW day, 1 KW night (Docket 6197).

WMBG—Havens and Martin, Inc., Richmond, Va.—Granted license to cover construction permit as modified, which authorized changes in directional antenna (B2-L-1661); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1393). Granted authority to determine operating power by direct measurement of antenna power, for auxiliary transmitter (B2-Z-1394).

KYCA—Southwest Broadcasting Co., Prescott, Ariz.—Denied petition to reconsider and grant application (B5-TC-276) for transfer of control of station KYCA.

KMP—Eddie Erlbacher, Cape Girardeau, Mo.—Granted petition for continuance of hearing now set for May 29 to June 30, 1942.

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Granted motion for leave to amend application so as to request night power of 5 KW, change in DA for nighttime; denied as to removal from hearing docket. The Commission on its own motion continued the hearing now set for June 4 to July 7.

Utica Observer Dispatch, Inc., Utica, N. Y.—Petition to hold record in abeyance, or in the alternative, dismiss application of applicant and that of Midstate Radio Corp. without prejudice, was withdrawn.

Herman Radner, Dearborn, Mich.—Denied motion to extend time to file petition to grant application for new station; granted for continuance of hearing now set for June 17 to July 15, 1942.

Western Union Telegraph Co.—Continued hearing now scheduled for May 2 to June 18, in the matter of charges, regulations, and practices of Western Union with respect to delivery of domestic telegrams to closed office points.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—The Commission on its own motion amended the issues in Docket 6216 and ordered retention of the present hearing date, June 23, 1942.

WSOY—Commodore Broadcasting, Inc., Decatur, Ill.—Granted written request to dismiss application (B4-P-3028). Applicant does not desire to prosecute.

J. C. Horton, Santa Ana, Cal.—Granted petition for dismissal without prejudice of application for new station (B5-P-3441).

General Broadcasting, Inc., Miami, Fla.—Granted petition to dismiss without prejudice application (B3-P-2749) for new station.

Park Cities Broadcasting Corp., Dallas, Texas.—Granted petition to dismiss without prejudice application (B3-P-2860) for new station.

WEEU—Berks Broadcasting Co., Reading, Pa.—Granted petition to dismiss without prejudice application (B2-P-3048).

The McKeesport Broadcasting Co., Inc., McKeesport, Pa.—Granted petition to dismiss without prejudice application for new station (B2-P-3324).

Donald Flamm, New York City.—Granted petition to dismiss without prejudice application for new station (B1-P-3400).

Ralph W. S. Bonnett, Sandusky, Ohio.—Granted petition to dismiss without prejudice application for new station (B2-P-3362).

APPLICATIONS FILED AT FCC

680 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of construction permit (B4-P-2477, as modified, for increase in power, install new transmitter and directional antenna for day and night use, move transmitter and increase hours of operation) for extension of completion date from 5-30-42 to 7-30-42.

770 Kilocycles

KXA—American Radio Telephone Co., Seattle, Wash.—Authority to determine operating power by direct measurement of antenna power.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of construction permit (B3-P-3043, as modified, which authorized change in frequency, increase in power, install directional antenna for day and night use, and move transmitter) for extension of completion date from 7-6-42 to 10-6-42.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-P-3261, as modified, for new station) for extension of commencement and completion dates from 1-13-42 and 7-13-42 to 7-13-42 and 9-13-42, respectively.

1250 Kilocycles

WTMA—Atlantic Coast Broadcasting Co.—License to cover construction permit (B3-P-2985) as modified, to install new transmitter, directional antenna for night use, change frequency, increase power and move transmitter.

WTMA—Atlantic Coast Broadcasting Co.—Authority to determine operating power by direct measurement.

1310 Kilocycles

WISH—Capitol Broadcasting Corp.—Construction permit to increase power from 1 KW night, 5 KW day to 5 KW day and night and make changes in directional antenna for night use only.

1340 Kilocycles

WEBR—WEBR, Incorporated, Buffalo, N. Y.—Transfer of control through sale of 1400 shares preferred and 100 shares of common stock (100%) by Edw. H. Butler, individual, Marjorie Mitchell Baird, individual, and Edw. H. Butler, individual, and as trustee under the last Will and Testament of Edw. H. Butler, deceased, d/b as Buffalo Evening News to Buffalo Courier-Express, Inc. (75%) and Paul E. Fitzpatrick (25%).

1380 Kilocycles

WAWZ—Pillar of Fire, Zarephath, N. J.—Modification of construction permit (B1-P-3200 as modified, for increase in power, install new transmitter and changes in antenna system) for extension of completion date from 5-23-42 to 6-23-42.

1390 Kilocycles

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—License to cover construction permit (B4-P-3063) as modified, for new transmitter, install directional antenna for day and night use, increase power, change hours of operation, and move transmitter.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Authority to determine operating power by direct measurement.

1400 Kilocycles

WELL—Federated Publications, Inc., Battle Creek, Mich.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—License to cover construction permit (B2-P-3410), which authorized changes in auxiliary transmitter.

MISCELLANEOUS APPLICATIONS

WNKF—National Broadcasting Company, Inc., area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., only, and to delete use with station WENR.

WEJV—National Broadcasting Company, Inc., area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., only, and to delete use with station WENR.

W79C—Oak Park Realty & Amusement Co., Chicago, Ill.—Modification of C. P. (B4-PH-117, which authorized new H. F. B. station) for extension of commencement and completion dates only, from 12-28-41 and 6-28-42 to 6-28-42 and 12-28-42, respectively.

NEW—Blue Network Co., Inc., area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (using equipment licensed to NBC relay station KEJP). Frequencies, **31220, 35620, 37020, 39260 kcs.**; power, 25 watts; emission A1, A2, A3; location, Portable-Mobile, area of San Francisco, Calif.

NEW—Blue Network Co., Inc., area of San Francisco, Calif.—License for new relay broadcast station using already licensed equipment (licensed to KEJH). Frequencies, **31220, 35620, 37020, 39260 kcs.**; power, 2 watts; emission, A3; location, Portable-Mobile, area of San Francisco, Calif.

NEW—Blue Network Co., Inc., area of San Francisco, Calif.—License for new relay broadcast station using already licensed equipment (licensed to station KEJB). Frequencies, **31220, 35620, 37020, 39260 kc.**; power, 0.25 watts; emission, A3; location, Portable-Mobile, area of San Francisco, Calif.

NEW—Blue Network Co., Inc., area of San Francisco, Calif.—License for new relay broadcast station using already licensed equipment (licensed to KEJL). Power, 25 watts; emission, A3; frequencies, **31220, 35620, 37020, 39260 kcs.**; location, Portable-Mobile, area of San Francisco, Calif.

NEW—Blue Network Co., Inc., area of San Francisco, Calif.—License for new relay broadcast station using already licensed equipment (licensed to KEJC). Power, 2 watts; emission, A3; frequencies, **31220, 35620, 37020, 39260 kcs.**; location, Portable-Mobile, area of San Francisco, Calif.

KEJP—National Broadcasting Company, Inc., area of San Francisco, Calif.—Modification of license to show use of station with applicant's standard broadcast station KPO, San Francisco, Calif., only, and to delete use with station KGO.

KEJH—National Broadcasting Co., Inc., area of San Francisco, Calif.—Modification of license to show use of station with applicant's standard broadcast station KPO, San Francisco, Calif., only, and to delete use with station KGO.

KEJB—National Broadcasting Company, Inc., area of San Francisco, Calif.—Modification of license to show use of station with applicant's standard broadcast station KPO, San Francisco, Calif., only, and to delete use with station KGO.

KEJL—National Broadcasting Co., Inc., area of San Francisco, Calif.—Modification of license to show use of station with applicant's standard broadcast station KPO, San Francisco, Calif., only, and to delete use with station KGO.

KEJC—National Broadcasting Company, Inc., area of Denver, Colo.—Modification of license for change in area normally served by station from Denver, to San Francisco, and change in standard station with which it is to be used, from KOA, Denver, to KPO, San Francisco.

NEW—Blue Network Co., Inc., area of San Francisco, Calif.—License for new relay broadcast station using already licensed equipment (licensed to KHCM). Frequencies, **1606, 2074, 2102, 2758 kcs.**; power, 25 watts; emission, A1, A2, A3; location, Portable-Mobile, area of San Francisco, Calif.

NEW—National Broadcasting Co., Inc., area of Hollywood, Calif.—Modification of license to show use of station with applicant's standard station KPO, San Francisco, only, and delete use with station KGO.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (using equipment licensed to NBC under call letters "WEJK") on **31220, 35620, 37020, 39260 kcs.**, 2 watts, emission, A3.

NEW—Blue Network Co., Inc., Chicago, Ill.—License for new relay broadcast station using already licensed equipment (using equipment licensed to NBC under call letters "WEJH") on **31220, 35620, 37020, 39260 kcs.**, 100 watts, emission, A1, A2, A3.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (equipment licensed to NBC under call letters "WNEP") on **31220, 35620, 37020, 39260 kcs.**, 25 watts, emission, A1, A2, A3.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (equipment licensed to NBC under call letters "WIEX"), **1606, 2074, 2102, 2758 kcs.**, 50 watts, emission, A3.

NEW—Blue Network Co., Inc., Chicago Ill.—License for new relay broadcast station using already licensed equipment (equipment licensed to NBC under call letters "WMFS") on **1606, 2074, 2102, 2758 kcs.**, 2 KW, emission, A3.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (equipment licensed to NBC under call letters "WEJM") on **31220, 35620, 37020, 39260 kcs.**, 25 watts, emission, A3.

WBEZ—Board of Education, City of Chicago, Chicago, Ill.—Modification of construction permit (B4-PED-22, as modified, which authorized new non-commercial educational broadcast station) for changes in transmitter location from 228 N. LaSalle St., Chicago, Ill., to 79 W. Madison St., Chicago, Ill., changes in antenna system, and extension of completion date from 7-1-42 to 9-1-42. Amended to extend commencement and completion date from 9-29-41 and 7-1-42 to date of grant and 180 days thereafter, respectively.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (equipment licensed to NBC under call letters "WNBE") on **1606, 2074, 2102, 2758 kcs.**, 25 watts, emission, A3.

WEJH—National Broadcasting Co., Inc., Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

WEJK—National Broadcasting Co., Inc., Portable-Mobile, area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

WNEP—National Broadcasting Co., Inc., Portable-Mobile, area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

WIEX—National Broadcasting Co., Inc., Portable-Mobile, area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

WMFS—National Broadcasting Co., Inc., Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

WNBE—National Broadcasting Co., Inc., Portable-Mobile, area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

WEJX—National Broadcasting Co., Inc., Portable-Mobile, area of Chicago, Ill.—Modification of license to show use of station with applicant's standard broadcast station WMAQ, Chicago, Ill., and to delete use with Station WENR.

KEGB—Don Lee Broadcasting System, Portable-Mobile, area of San Francisco, Calif.—License to cover construction permit (B5-PRY-264) for a new relay broadcast station.

NEW—Blue Network Co., Inc., area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (licensed to NBC relay station WNKF). Frequencies, **31220, 35620, 37020, 39260 kcs.**; 2 watts power; emission, A3; location, Portable-Mobile, area of Chicago, Ill.

NEW—Blue Network Co., Inc., area of Chicago, Ill.—License for new relay broadcast station using already licensed equipment (licensed to WEJV). Frequencies, **31220, 35620, 37020, 39260 kcs.**; power, 0.25 watts; emission, A3; location, Portable-Mobile, area of Chicago, Ill.

WEJM—National Broadcasting Co., Inc., Portable-Mobile, area of Chicago, Ill.—Modification of license to show use with standard station WMAQ, Chicago, Ill., only, and to delete use with station WENR.

NEW—Blue Network Co., Inc., Portable-Mobile, area of New York, N. Y.—License for new relay broadcast station using already licensed equipment (using equipment licensed to NBC under call letters "WMEF") on **1606, 2074, 2102, 2758 kcs.**, 100 watts; emission, A1, A2, A3.

WMEF—National Broadcasting Co., Inc., area of New York, N. Y.—Modification of license to show use of station with broadcast station WEAF, New York, N. Y., only, to delete use with Station WJZ, and to change from portable-mobile to portable or portable-mobile.

WCAH—Board of Education, City of Buffalo, Buffalo, N. Y.—Modification of construction permit (B1-PED-24, which authorized new non-commercial educational station) for extension of commencement and completion date from 3-27-42 and 9-27-43 to 3-27-43 and 9-27-43 respectively.

NEW—Blue Network Co., Inc., area of Chicago, Ill., Portable-Mobile.—License for new relay broadcast station using already licensed equipment (using equipment licensed to NBC under call letters WEJX) on **31220, 35620, 37020, 39260 kcs.**, 0.25 watts, emission, A3.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Chicago Wholesale Co., Sidney B. Koller and Bernice Feitler, 230 West Monroe St., Chicago, is charged in a complaint with misrepresentation in the sale of jewelry, silverware, luggage, giftware and other merchandise to consumers who buy for their own use and not for retailing and to dealers who order specific articles selected by customers from the respondents' catalogs. (4762)

Savoy Mfg. Company—A complaint has been issued charging Charles and Jack Deer, trading as Savoy Manufacturing Co., 12 West 23rd St., New York, with the use of lottery methods and misrepresentation in the sale of electrical appliances, tableware, luggage, house furnishings and other merchandise. (4763)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

James MacDonald Ltd., et al.—Five Scottish producers of Harris Tweed fabrics and their sales representatives in the United States have been ordered to cease and desist from engaging in any price-fixing agreement or conspiracy which restrains and monopolizes the sale of their products in trade between Great Britain and the United States, and between the States.

The respondent producers are James MacDonald, Ltd., Kenneth MacKenzie, Ltd., S. A. Newall and Sons, Ltd., W. A. Smith, John Smith and A. P. C. Lawrence, trading as Thomas Smith & Co., all of Stornoway, Scotland, and Kenneth MacLeod, Ltd., Shawbost, Scotland. (4618)

Model Home Supply Co., 34 East 12th St., New York, has been ordered to cease and desist selling or otherwise disposing of merchandise by means of a lottery scheme. The respondents deal in jewelry, cosmetics, clothing and electrical and household articles. (3507)

Sterling Products, 170 Varick St., New York, and Vita-Ray Corp., 176 Middle Ave., Lowell, Mass., a subsidiary of Sterling Products, have been ordered to cease misleading representations in the sale of cosmetics. (4197)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Garfield Tea Co., Inc., 313 Forty-first St., Brooklyn, stipulated to discontinue certain representations in the advertisement and sale of its preparation known as "Garfield Headache Powders." (02983)

Plee-Zing, Inc., 176 West Adams St., Chicago, entered into a stipulation to cease and desist from representing that the product it sells under the name "Plee-Zing Bowl Cleaner" will eliminate odors from toilet bowls. (02984)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 22, June 5, 1942

Supreme Court Raps FCC "Monopoly" Procedure

The Supreme Court rapped the knuckles of the FCC this week for trying to grab power without even giving the courts a look-in.

The Court held that the Commission's so-called "monopoly" rules should be subjected to judicial review before they were put into effect.

The Commission had contended that the "monopoly" rules amounted to nothing more than a statement of policy, and that broadcasters had no right to contest these rules in court until they were actually hurt by them.

In other words, some network affiliate would have had to put his license in jeopardy before the rules could have been tested.

But the Supreme Court said, no.

"Such regulations have the force of law before their sanctions are invoked as well as after. When as here they are promulgated by order of the Commission and the expected conformity to them causes injury cognizable by a court of equity, they are appropriately the subject of attack (*in the courts*)."

The case now goes back to a three-judge federal court in New York, for trial "on the merits."

Did the FCC have the power to make such rules under the Federal Communications Act of 1934? If so, are those sections of the Act which gave the Commission such powers constitutional?

Those are the questions now to be decided.

Undoubtedly, these issues will go to the Supreme Court before the case is finally decided.

The Court divided 5 to 3 on the case. Chief Justice Stone read the majority opinion, while Mr. Justice Frankfurter expressed the minority view. Mr. Justice Black, whose wife is the sister of Commissioner Durr's wife, took no part in the case.

The text of the opinions are printed on page 300.

Sanders Bill Hearings

Leading off for MBS at the hearings on the Sanders Bill on Wednesday, Alfred J. McCosker, Chairman of the MBS Board, declared that Mutual's primary interest is in having the FCC's network regulations go into effect. "It opposes any legislation that would cause further delay," he said, "and that would deprive the Commission of its power to adopt such regulations, or that would cast any doubt on that power." Three of the proposed amendments, namely, Sections 6 and 7 of the Sanders Bill, and the NAB proposal to amend Section 326 of the Communications Act by incorporating language of the Supreme Court in the Sanders Brothers case, apparently come within this description, he declared.

"The first and most important of these is Section 7," Mr. McCosker stated, "While it is innocent enough in appearance and purports merely to require the Commission to study certain proposals and to report its recommendations to Congress, together with its reasons, it is very cleverly worded and, by implication, actually would take away such powers as the Commission now has over the subject-matter of the network regulations. This is done by clauses 1, 3, and 4." Closely questioned by Representatives Sanders and Hinshaw as to whether by this he implied any impropriety in Congress as the representatives of the people seeking information from the Commission and thereafter declaring policy, Mr. McCosker conceded that Congress should make the decision.

Representative Sanders said he was "intrigued" by Mr. McCosker's statement that he was very much worried "about what happened before the Senate Committee, and seems to be happening again here, is that such proceedings will undermine the Commission and deprive it of the willingness and the courage again to deal constructively with important and controversial issues." In this connection Mr. Sanders remarked, "Is it your

(Continued on page 298)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

SANDERS BILL HEARINGS

(Continued from page 297)

thought that every time Congress makes an investigation it will undermine the Commission? You take Congress to task, and that is a serious charge."

The witness' objection to Section 6 was that it cut down the Commission's powers over transfers of licenses and deprives it of one of its important legal points in the proceedings now pending in court over the network regulations. "The present law requires the Commission's written consent not only for the transfer of any license but also for the transfer of any *rights* under a license," Mr. McCosker declared, "This has been in the law ever since 1927 and is clearly necessary if the Commission is really to exercise control over transfers and is to determine who shall and who shall not have the right to operate radio stations." Asked by Representative Hinshaw what he meant by "determine who shall and who shall not have the right to operate radio stations," the witness replied that he referred to arrangements whereby the licensee turned the actual operation of a station over to others, thereby circumventing the Commission's control.

A further objection to Section 6, Mr. McCosker said, is that it would deprive the Commission of any power to disapprove a transfer on the ground that the transferee already has enough or too many stations, either in the country as a whole or in any one city.

Objecting to NAB's proposal to insert in Section 326 of the Communications Act,—the section which denies the Commission the power of censorship over radio,—language which would deny the Commission any "control of the business management of the station or control of the policies of the station or the station licensee," Mr. McCosker stated, "The purpose is to deprive the Commission of such power as it has exercised in adopting the network regulations." The language was "lifted" from the Sanders Case, he said, without the context showing what the Supreme Court really meant.

Reverting to the proposals in Section 7 that the Commission should study and report on to Congress, Mr. McCosker stated, "If there are to be any recommendations as to legislation, it seems to me that they should come from the persons and the groups that urge it. They should not hide behind vague proposals for further study and further reports when, as they well know, the principal consequence will be long additional delays and expense." On being questioned by Representative Sanders, the witness stated that by "they" he meant NBC and CBS. Mr. Sanders remarked that Section 7 was his own section, the others being the recommendations of the Federal Communications Bar Association, and that he believed it proper that Congress consider the subject-matter of Section 7. He appeared to resent the accusation that the proposals were "vague."

Fred Weber, MBS General Manager, on Thursday introduced exhibits on the subject of Mutual's competitive position in the industry, and started to discuss the network regulations when he was met with a barrage of questions by numerous members of the committee. Representative McGranery (D-Penna.) got into the record figures showing Mutual's growth in gross billings. He asked the witness if the network regulations didn't work to the advantage of Mutual and to the disadvantage of the other networks, to which Mr. Weber replied that they provide equal opportunity for all networks. Mr. Weber had not completed his statement when the hearings recessed; it is understood he will resume on Monday.

Louis G. Caldwell, MBS general counsel, will testify Friday, following which Paul Spearman, NAI counsel will take the stand. Present indications are that Chairman Fly will appear Tuesday, to be followed by Commissioner Craven.

Sales

STANDARD CONTRACT FORMS APPROVED

As announced at the NAB convention in Cleveland, the new AAAA-NAB standard contract forms for spot radio have been approved after months of negotiations, and copies were placed in the mails last week for all stations. Additional copies are available upon request.

Approval of the forms has climaxed nearly a year of work by the radio and agency committees. Previous attempts to negotiate a standard contract failed to result in complete agreement by both associations, with the result that the NAB issued recommended forms for radio stations in January and March of 1941, while a modified form was generally used by agency members of the AAAA. Those forms have now been superseded by the new contracts, and all agencies and stations are invited to make the change to bring about uniformity in all quarters.

Recognizing that not all advertising agencies are members of the AAAA, and that not all stations belong to the NAB, committees were appointed in 1941 to represent both members and non-members. Serving on the radio committee were Eugene Carr, WGAR, chairman of the Sales Managers Executive Committee, and Robert Dunville, WLW, as NAB members, and Herbert L. Pettey, WHN, representing non-NAB members. On the agency committee were A. K. Spencer of J. Walter Thompson and Leonard Bush of Compton, representing AAAA members, and M. J. Kleinfeld, of Franklin Bruck, representing non-AAAA agencies. Thus it is hoped that the new standard forms will be acceptable to all stations and all agencies.

Besides the form suitable for spot business placed through agencies, an "advertiser" form was also issued to handle local business and national spot business placed direct. The two forms are identical except that the "advertiser" form carries no mention of agency or agency commission.

Mats have been prepared and mailed to stations covering the "standard conditions" on the reverse side of the contracts, for convenience and economy in local printing.

The forms, of course, may be modified by stations in any way desired, although it is hoped they will be adopted as they stand, or with a minimum of changes, so that the industry may be spared the difficulties and annoyances that arise when a multiplicity of contract forms are in use.

In acknowledging the committee's completion of its work, NAB President Neville Miller complimented its members "on this satisfactory solution to a most difficult assignment. Thanks to your hard work and unselfish application over a long period, you have made a substantial contribution to the business of broadcasting and have earned the sincere gratitude of all your industry associates."

NEW DEPARTMENT STORE TABLE

A new "summary table" on department store use of radio has been prepared from reports submitted by stations to "The Broadcast Advertising Record." Copies are available on request.

RETAILERS PLAN BOND DRIVE

Here is a telegram received from Benjamin H. Namm, chairman, retail advisory committee to the U. S. Treasury:

"At a joint meeting of the Treasury's Retail Advisory Committee and Treasury officials it has just been decided to hold an intensive 'Retailers for Victory' campaign during the entire month of July. This will take the place of the one week's campaign usually held in September. G. Ray Schaeffer of the Marshall Field organization of Chicago has been named national chairman of the campaign. The undersigned will serve as honorary chairman. Our slogan will be 'A Million Retailers Unite for War Savings—The Commandos of Main Street.' Our goal will be to double and redouble the present sales of war savings stamps and bonds by retail stores. Our purpose will be to help the U. S. Treasury department attain its huge billion dollar quota for the month of July. Would greatly appreciate your passing this information on to the members of your association. Incidentally we have just received the following reply from General MacArthur in Australia in response to a cable of cooperation sent by me in the name of our eight million retail employers and employees as follows: 'Your message is one of victory. Signed MacArthur.'"

Undoubtedly many retail stores will use some paid promotion in connection with this campaign. Although radio stations are giving freely of their facilities to the Treasury in promoting the sale of war bonds and stamps, they also have been equipped by the Treasury Department with a kit of suggested announcements and programs, suitable for sale to local sponsors including retailers. To get ready for the July retailers' campaign, stations may wish to prepare an additional supply of announcements and programs suitable for sponsorship in connection with this drive.

CONVENTION CRACKS DOWN ON CHISELERS

Because of continued pressure from commercial firms seeking free radio exploitation or per-inquiry deals, the NAB delegates at the Cleveland convention passed the following resolution:

"Maintenance of a sound broadcasting industry, particularly vital to the nation in these times of war, is predicated on the observance of good business practices and high standards of ethics, both on the part of broadcasters and of those who would use broadcasting facilities. In cooperation with our government the broadcasting industry is doing its utmost in the promotion of the war program by generous, unselfish all-out contributions of time and talent.

"However, some organizations and movements outside the government are seeking their commercial advancement or the promotion of special aims through the free use of broadcasting facilities, sometimes even under the guise of participation in the war program. All such efforts are regarded by the National Association of Broadcasters as unwarranted, unsound, and contrary to the best interests of the industry and the nation.

"Similarly, efforts by commercial enterprises to purchase radio facilities on a contingent, guaranteed-return, or per-inquiry basis, again sometimes even under the guise of patriotism, or, more reprehensibly, on the basis that the war emergency should persuade broadcasters to relax their standards of ethics, are declared by this Association to lead to unfair and discriminatory practices, to an undermining of the entire structure of commercial radio, and to the deterioration of an industry vital to its government and to the advancement of the American economic system.

"Such efforts are, therefore, condemned as unethical, as contrary to the best interests of the industry, and if carried to their logical conclusion as contrary also to the best interests of advertising in general and of the clients served by radio.

"It is the will of this Association, therefore, that all such requests should be denied by its members, and discouraged by every other means at their disposal."

This resolution furnishes an ideal answer for stations to give to would-be chiselers. It has been suggested that stations print or mimeograph copies of this resolution, and that unwarranted proposals *be returned to the senders* with a copy of this resolution attached. Such action by many stations, it is believed, will do much to check the growing pressure for free time and P-I deals.

Among those reported to the NAB since the last tabulation are:

George Fisher, Allston, Mass., seeking P-I deals for Photo-Stamps.

Equity Advertising Agency, New York, seeking P-I deals for **American School.**

Mail Photo Service, Inc., Louisville, Ky., seeking P-I deals on its snapshot service.

Comic Book Club, New York, seeking P-I deals for its comic books.

Federal Life & Benefit Assn., Wilmington, Del., while not seeking outright P-I deals for its hospitalization insurance plan, nevertheless invites guaranteed-returns and free plugging by specifying a required per-inquiry cost and asking "Will you cooperate to bring about a reasonable inquiry cost in the event the initial results are not within reason?"

W. T. Otto Stamp Co., Brooklyn, seeks P-I deals for its stamps and collector's supplies.

Universal Photo Service, La Crosse, Wis., wants P-I deals for snapshot finishing.

Hannon Medicines, Inc., Brookhaven, Miss., seeks P-I deals for its medical products, citing a couple of small southeastern stations which have handled the business on that basis.

Joe Bonomo, New York, wants to sell his booklets on "health, beauty, charm, physical development, etc," to stations, either as premiums or a direct-selling item.

The Remnant Shop, Sesser, Ill., wants P-I deals for its "quilt roll."

Free radio time of one sort or another, generally requested *through the conductors of women's programs,* is being sought by **Nestle's Chocolate;** by the **Bureau of Fashion Trends,** June Hamilton Rhodes, director, for the **Jewelry Industry Publicity Board;** by the **Lawrence H. Selz Organization** on behalf of carbonated beverages; by the **Milk Industry Foundation;** by **W. Earl Bothwell** Advertising Agency for **Duff's Gingerbread Mix;** by **Children's Play Mate Magazine** (asking free advertising and a mailing list in return for samples to listeners), and by **The Greeting Card Industry.**

We repeat: in the face of this continued barrage of chisel attempts, the resolution printed above was passed unanimously at Cleveland. Its use by stations when returning unwanted material would be effective, and would also aid the war program by persuading many agencies and firms to save a lot of paper.

WAR SERVICE SUGGESTION

Walter B. Haase, WDRC, Hartford, Conn., makes the following suggestion which the NAB commends:

Here in Hartford, the four stations have had good luck using a system which WDRC suggested in connection with the Hartford County Blood Plasma Bank and the War Bond Pledge Campaign. Instead of using a different address for each agency, we ask listeners to telephone the station. So for Red Cross blood donors, it's "Telephone WDRC right now. We'll do the rest. The number is 7-1188." For recruitment of nurses, our announcements read "For full information, telephone WDRC and leave your name. We'll do the rest. The number is 7-1188!"

We then take the names and telephone them to the proper agency. By using this tactic, we are able to give interested persons a number to call immediately, whether it's 7:00 in the morning or 11:00 at night. Most of these agencies observe regular office hours. It also gives us a nice check on how well our spots and programs are pulling.

"WORKING FOR RADIO"

"Working for Radio" is going like hot cakes. A great many stations are having their call letters imprinted on the booklets and accompanying envelopes. The price to member stations is five cents each, to cover the cost of printing. The FREC SERVICE BULLETIN printed the following review:

"Working for Radio" is the title of a new publication just released by the National Association of Broadcasters and edited by their Director of Labor Relations, Joseph L. Miller. The list of contributors reads like a Who's Who in Radio, for it includes Cecil B. DeMille on the subject of "Acting for Radio," Edward G. Robinson, on "Radio Play Writing," Bing Crosby, on

"Singing for Radio," George A. Mooney on "Writing for Radio," John Benson on "Advertising Agency Work," and a half dozen others equally well qualified to write on such subjects as "Staging a Radio Show," "Radio Announcing," "Musicians in Radio," "Radio Operators and Technicians," and "Selling Radio Advertising."

To the person interested in making a career of radio, this publication should be intensely interesting. While it makes no claim to be all-inclusive, it does cover a variety of radio phases—the ones most frequently asked about.

In his foreword, Neville Miller, President of the NAB, urges readers to be sure to read the article on working for the smaller stations, for it is there, he states, that the average boy or girl looking for a career in radio has his best chance to get started.

WAGE AND HOUR LAW

The Supreme Court held this week that employees of buildings tenanted by firms engaged in interstate commerce were subject to the Wage and Hour Law.

FIRST NAB PRESIDENT WRITES NEW BOOK

If you didn't know it, the first president of the National Association of Broadcasters was Commander E. F. McDonald, Jr., now president of Zenith Radio Corporation, Chicago.

A few years ago he became interested in gliders to such an extent that the products of his pen comprise a large share of the current literature on gliding.

"Youth Must Fly" ($2.50—Harper Bros.) is one of the Commander's recent contributions to gliding.

The recent announcements on gliding, which have appeared in the weekly Army folio, are evidence that the United States of America is going to have gliders. Prior to the evidence of Army use of the glider, the Commander necessarily had to point out that soaring was the ideal connecting link between model-building and flying power, and that it possessed outstanding safety that would appeal to parents and to youth organizations interested in promoting clean safe sport.

Recent Army announcements for radio would indicate that the Army has gone all the way out for the glider. Its conception of the glider is an airplane with remote power.

KTUL BOND SALE

Radio Station KTUL and the First National Bank & Trust Company, Tulsa, have made history with their broadcast from the bank lobby, "The Greatest Sale In History".

Four hundred civic leaders and eight organizations put punch in the broadcast to sell $1,521,913.25 worth of War Bonds in fourteen broadcasts.

Thirty-one thousand five hundred copies of a brochure on the promotion, prepared by the bank, have been ordered by the Treasury for distribution according to John Esau, National Sales & Promotion Manager.

TEN PER CENT PLAN

The Treasury Department has prepared a mimeographed fact sheet on the "Ten Per Cent War Bond Promotion" which begins June 14 and continues through July 5. Buttons and red, white and blue stickers are a part of the tie-up which the Treasury has arranged, according to Charles J. Gilchrist, Chief Radio Section.

SUMMER RADIO COURSES

One or more courses in radio for teachers will be offered during summer sessions this year by 104 out of 435 colleges and universities. This is according to the finding of a survey just completed by the Federal Radio Education Committee in the U. S. Office of Education.

This is an increase of 30% in institutions over a year ago when only 80 colleges and universities were reported as offering summer courses in radio for teachers.

KFAR SCHEDULE

The University of Alaska, through Radio Station KFAR, Fairbanks, has just completed (May 8) an important and enlarged broadcast schedule which began early last Fall.

The data provided by Everett R. Erickson, Director of radio broadcasts, lists a total of 61 programs.

STATE LEGISLATION

LOUISIANA:

H. 657 (MADDEN) MUSIC TAX—Imposes a license tax on printed and recorded music. Referred to Committee on Ways and Means.

FEDERAL LEGISLATION

H. R. 7173 (SACKS, D-Penna.) COPYRIGHTS—To amend the Act entitled "An Act to amend and consolidate the Acts respecting copyright", approved March 4, 1909, as amended. Referred to Committee on Patents.

SUPREME COURT OF THE UNITED STATES

No. 1026—October Term, 1941

Columbia Broadcasting System, Inc., Appellant,
vs.
The United States of America, Federal Communications Commission and Mutual Broadcasting System, Inc.

Appeal from the District Court of the United States for the Southern District of New York.

June 1, 1942

Mr. Chief Justice Stone delivered the opinion of the Court.

The Federal Communications Commission, by its order of May 2, 1941, as amended by its order of October 11, 1941, promulgated regulations which purport to require the Commission to refuse to grant a license to any broadcasting station which enters into certain defined types of contract with any broadcasting network organization. These regulations, it is alleged, affect adversely appellant's contractual relations with broadcasting stations and impair its ability to carry on its business in maintaining and operating its nationwide broadcasting network. The regulations as amended on October 11, 1941, together with a supplemental "minute" promulgated by the Commission on October 31, 1941, are set forth at the end of this opinion. The question for our decision is whether appellant is entitled to secure a judicial review of the order by a suit brought under sec. 402(a) of the Communications Act of 1934, 48 Stat. 1093, 47 U.S.C. sec. 402(a), and the Urgent Deficiencies Act, 38 Stat. 219, 28 U.S.C. sec. 47.

Pursuant to sec. 402(a) appellant brought the present suit against the United States in the Southern District of New York, to enjoin enforcement of the Commission's order as contrary to the public interest and beyond the Commission's statutory authority, and on the further ground, if the order be deemed within that authority, that the statute is an unconstitutional delegation of legislative power by Congress in violation of Article I, sec. 1 of the Constitution, and operates to deprive appellant of property without due process of law in violation of the Fifth Amendment. The case was heard by a court of three judges, which permitted the Commission and the Mutual Broadcasting Company to intervene as defendants. It granted appellees' motion to dismiss the complaint for want of jurisdiction, ——F. Supp.——, and stayed the operation of the Commission's order pending direct appeal to this Court.

In 1938 the Communications Commission authorized an investigation "to determine what special regulations applicable to radio stations engaged in chain or other broadcasting are required in the public interest, convenience, or necessity." Extensive hearings were held by a committee consisting of three members of the Commission, at whose request the national networks, including appellant, intervened. In June, 1940, the committee made a report, on the basis of which briefs were filed and oral argument was presented before the full Commission by the three national networks and other interested parties. In May, 1941, the Commission issued its "Report on Chain Broadcasting" and ordered the adoption of the regulations which, in their amended form, are the subject of the present controversy.

The relevant facts stated in the bill of complaint are as follows: Appellant or its predecessor has been engaged in the business of nationwide network or chain broadcasting since 1927. It has a large amount of physical property used in the business and has built up a valuable goodwill. For its broadcasts it maintains a staff of employees and expends large amounts for musicians and broadcasting performers. It has commitments by long-term contracts aggregating more than $4,000,000 for broadcasting expenditures, including those for the use of land and buildings and for the furnishing of news and broadcasting programs in the next few years. Appellant's total property devoted to its broadcasting business exceeds $18,000,000 in value; its earnings from the network exceeded $3,000,000 in both 1939 and 1940.

Chain broadcasting is the means by which radio programs are made available to all or a large part of the nationwide radio audience. It is defined by the Communications Act, 47 U.S.C. sec. 153(p), as the "simultaneous broadcasting of an identical program by two or more connected stations." The chain broadcaster prepares radio programs, for which it engages performers in advance, and simultaneously broadcasts them over a large number of radio stations to which the programs are transmitted from some central point of origination by wire telephone lines leased by the broadcaster, here the appellant. The programs, which are prepared well in advance of the broadcast and given by persons employed for the purpose by appellant, are of two classes—commercial programs sponsored and paid for by advertisers, and sustaining programs furnished by appellant and not paid for by any advertiser.

Appellant's network comprises 123 stations in 122 cities in the United States. It is so operated as to enable ninety per cent of the radio audience of the United States to listen simultaneously to programs provided by appellant and broadcasted over these stations. Appellant owns and operates seven of the stations and leases an eighth, all licensed by the Commission. With the remaining 115 stations it enters into individual contracts usually for periods of five years, terminable in some instances by appellant on twelve months' notice. By these contracts appellant undertakes to furnish each station with an average of at least sixty hours per week of network sustaining and sponsored programs. The sustaining programs are furnished without charge, the station being free to use them or not as it chooses. Appellant undertakes to furnish the station with all commercial programs which the sponsor requests the station to broadcast and to pay the station a specified hourly rate for the use of its facilities in broadcasting such programs. Appellant agrees not to furnish its programs to other stations in the same city; the affiliated station, with exceptions not now material, agrees not to broadcast the program of any other network. Of critical importance in the present litigation is the stipulation of the affiliated station that it will, upon not less than twenty-eight days' notice from appellant, broadcast the sponsored or commercial program furnished to it by appellant for at least fifty "converted" hours (averaging seventy-nine regular clock hours) per week.

These provisions of appellant's contracts are alleged to be indispensable to the maintenance and efficient operation of its network and to the existence of a strong and efficient network broadcasting system, and necessary to enable appellant to compete with other advertising media. On May 2, 1941, the Commission issued its order which, as amended by its order of October 11, 1941, promulgated the "Chain Broadcasting Regulations" of which appellant complains, and which the Commission characterized in its Report as "the expression of the general policy we will follow in exercising our licensing power."[1] The regulations provide that no license shall be granted to a broadcast station having contracts with a network organization, containing any of several provisions which are characteristic of appellant's contracts with its affiliates. These include provisions by which the station is prevented from broadcasting the programs of any other network organization (3.101); or which prevent another station serving substantially the same area from broadcasting the network programs not taken by the station applying for license, or prevent another station serving a substantially different area from broadcasting any program of the network organization (3.102); or by which the station contracts for affiliation with the network for a period longer than two years (3.103); or by which the station "options for network programs any time subject to call on less than 56 days' notice or more time than a total of three hours" within each of four specified segments of the broadcast day, the regulation declaring "such options may not be exclusive as against other network organizations and may not prevent or hinder the station from optioning or selling any or all of the time covered by the option, or other time, to other network organizations" (3.104); or which prevent the station (a) from rejecting network programs which the station reasonably believes to be unsatisfactory or unsuitable or (b) from substituting for the network program a program of outstanding local or national importance (3.105).

After making its order of May 2, 1941, the Commission deferred its effective date until further order. By its order of October 11, 1941, the Commission fixed the effective date as November 15, 1941, and directed "that the effective date of Regulation 3.106 with respect to any station may be extended from time to time in order to permit the orderly disposition of properties," and "that the effective date of Regulation 3.107 shall be suspended indefinitely and any further order of the Commission placing said Regulation 3.107 in effect shall provide for not less than six months' notice and for further extension of the effective date from time to time in order to permit the orderly disposition of properties."

The bill of complaint also alleges that the purpose and effect of the regulations are to prohibit station licensees from having agreements of the kind which appellant has with its affiliates; that prior to the order of May 2, 1941, it was the practice of the Commission to renew the licenses of stations annually and that the licensed stations have had a reasonable expectancy of the annual renewal of their licenses; that 115 licensed stations have such contracts with appellant expiring at various times between the original effective date of the regulations and December 31, 1947. It is alleged that when their current licenses expire, at the latest, and perhaps earlier through the revocation of existing licenses, such stations face the loss of their licenses if they perform or continue in force or renew any existing contracts containing the described provisions.

The bill alleges that since the stations fear the loss of their licenses, as a result of the regulations, they will not negotiate for or renew affiliation contracts containing such provisions. And because they fear the loss of their licenses the stations have threatened to cancel and repudiate their affiliation contracts, and many have notified appellant that they will not be bound by their contracts after the regulations become effective. As a consequence appellant's ability to conduct its business and maintain its public broadcasting service is seriously impaired and the regulations will make the operation of appellant's business more costly, reduce its earnings and render its property and business less valuable.

The bill of complaint was filed October 30, 1941. The following day the Commission promulgated a supplemental "minute" setting up a procedure by which the validity of the regulations might be tested upon application for a license by an individual licensee. The minute declared that if a station wished to challenge the regulations the Commission would grant a temporary extension of its license until there had been a final court determination of the issues. In the event of such litigation, and if the validity of the regulations were sustained, "the Commission will nevertheless grant a regular license to the licensee, otherwise entitled thereto, who has unsuccessfully litigated that issue, if the licensee thereupon conforms to the decision."

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[1] The Commission in its Report says, p. 85:

"We believe that the announcement of the principles we intend to apply in exercising our licensing power will expedite business and further the ends of justice.

"Announcements of policy may take the form of regulations or of general public statements. In either case, the applicant's right to a hearing on the question whether he does in fact propose to operate in the public interest is fully preserved. The regulations we are adopting are nothing more than the expression of the general policy we will follow in exercising our licensing power. The formulation of a regulation in general terms is an important aid to consistency and predictability and does not prejudice any rights of the applicant. Good administrative practice would seem to demand that such a statement of policy or rules and regulations be promulgated wherever sufficient information is available upon which they may be based."

An affidavit subsequently submitted by appellant in support of its motion for a temporary injunction states that since the Commission's minute of October 31st, appellant has continued to receive indications that its affiliates will cancel and repudiate their contracts and refuse to renew them, and has received no indication that the minute has or will have the effect of inducing stations to assume the burden of testing the validity of the regulations. Attached to the affidavit are letters from five affiliates, written after October 31st, indicating their intention not to be bound by the contracts. The affidavit also states appellant's belief that it would have received more such letters had it not been for its circulation of information concerning the pendency of this suit.

Accepting the allegations of the complaint as true, as for present purposes we must; it is evident that application by the Commission of its regulations in accordance with their terms would disrupt appellant's broadcasting system and seriously disorganize its business. As the bill alleges, stations licenses have been renewable by the Commission annually,[1] whereas appellant's contracts are for five year periods and many of them will survive the expiration of the existing licenses to the affiliated stations. Under Regulations 3.101, 3.102, 3.103 and 3.104, each affiliate must repudiate his contract or be denied the renewal of his license. In either case this would deprive appellant of the station's participation in its network, for which its contracts call.

Regulation 3.104 not only requires all options by appellant to be exercised on 56 days' rather than 28 days' notice as at present, but provides that no option time is exclusive of other networks, and thus allows to appellant no option time within which it can command the use of affiliated stations for any program for broadcasting on a national scale. These sections together thus operate to break down the network enterprise in which appellant and its affiliates are by their contracts cooperating, and to substitute a system in which every station is available to every network on a "first come first served basis".

The Commission concedes by its brief that as provided by sec. 312(a) "Any station license may be revoked . . . because of conditions revealed by such statements of fact as may be required [of a licensee] from time to time which would warrant the Commission in refusing to grant a license on an original application". Consequently the regulations by their terms, read in conjunction with sec. 312(a), expose licensees, who renew their affiliation contracts, to revocation proceedings by the Commission whenever upon a statement which the Commission may require it appears that the licensee has entered into an affiliation contract which the regulations proscribe.

A proceeding to set aside an order of the Commission under sec. 402(a) and the Urgent Deficiencies Act is a plenary suit in equity. Hence the questions raised by the motion to dismiss are whether the Commission's order is an "order", review of which is authorized by sec. 402(a) of the Act, and if so whether the bill states a cause of action in equity. The suit cannot be maintained unless both questions are answered in the affirmative.

Section 402(a) makes applicable the provisions of the Urgent Deficiencies Act to "suits to enforce, enjoin, set aside, annul, or suspend any order of the Commission" except orders "granting or refusing an application for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license, or suspending a radio operator's license". Review of the orders excepted from sec. 402(a) is by appeal to the Court of Appeals of the District of Columbia under the provisions of sec. 402(b). See *Scripps-Howard Radio, Inc.* v. *Federal Communications Comm'n,* 315 U. S. —. Since the Commission's order neither grants, denies nor modifies any license, any review in advance or independently of an application for a station license must be under sec. 402(a), and then only if the Commission's order promulgating the regulations is an "order" within the meaning of this section. The particular label placed upon it by the Commission is not necessarily conclusive, for it is the substance of what the Commission has purported to do and has done which is decisive. *Powell* v. *United States,* 300 U. S. 276, 284-85; *A. F. of L.* v. *Labor Board,* 308 U. S. 401, 408.

The Commission's investigation of the contractual relation between the networks and the stations, which resulted in the order now under attack, was for the stated purpose of prescribing regulations of such relationships. The order authorizing the investigation recited that the proceeding was taken under sec. 303(i) of the Act, which gives the Commission "authority to make special regulations applicable to radio stations engaged in chain broadcasting". Since the Commission is not in terms given authority to regulate contractual relations between the stations and the networks, regulation of them could be accomplished only by regulating licensed radio stations which participate in chain broadcasting. It was by regulations in terms applicable to such stations that the Commission sought to control their contractual relationships with the networks.

The order is thus in its genesis and on its face, and in its practical operation, an order promulgating regulations which operate to control such contractual relationships, and it was adopted by the Commission in the avowed exercise of its rule-making power. Such regulations which affect or determine rights generally, even though not directed to any particular person or corporation, when lawfully promulgated by the Interstate Commerce Commission, have the force of law and are orders reviewable under the Urgent Deficiencies Act. *Assigned Car Cases,* 274 U. S. 564; *United States* v. *B. & O. R. Co.,* 293 U. S. 454. And regulations of like character, by which the Communications Commission has prescribed generally the records and accounts to be kept by telephone companies subject to its jurisdiction, are similarly reviewable under sec. 402(a). *A. T. & T. Co.* v. *United States,* 299 U. S. 232.

The regulations here prescribe rules which govern the contractual relationships between the stations and the networks. If the applicant for a license has entered into an affiliation contract, the regulations require the Commission to reject his application. If a licensee renews his contract, the regulations, with the sanction of sec. 312(a), authorize the Commission to cancel his license. In a proceeding for revocation or cancellation of a license, the decisive question is whether the station, by entering into a contract, has forfeited its right to a license as the regulations prescribe. It is the signing of the contract which, by virtue of the regulations alone, has legal consequences to the stations and to appellant. The regulations are not any the less reviewable because their promulgation did not operate of their own force to deny or cancel a license. It is enough that failure to comply with them penalizes licensees, and appellant, with whom they contract. If an administrative order has that effect it is reviewable and it does not cease to be so merely because it is not certain whether the Commission will enforce the penalty incurred under its regulations for non-compliance. *Assigned Car Cases, supra; A. T. & T. Co.* v. *United States, supra.*

The regulations are rules which in proceedings before the Commission require it to reject and authorize it to cancel licenses on the grounds specified in the regulations without more. If the regulations are valid they alter the status of appellant's contracts and thus determine their validity in advance of such proceedings. By striking them down by a determination proclaimed in advance that licenses shall be cancelled or refused because of a previous failure to comply with the regulations, they impose a penalty and sanction for non-compliance far more drastic than the fines customarily inflicted for breach of reviewable administrative orders.

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[1] On October 11, 1941, the Commission amended Regulation 3.34 to make the normal license period two years.

Most rules of conduct having the force of law are not self-executing but require judicial or administrative action to impose their sanctions with respect to particular individuals. Unlike an administrative order or a court judgment adjudicating the rights of individuals, which is binding only on the parties to the particular proceeding, a valid exercise of the rule-making power is addressed to and sets a standard of conduct for all to whom its terms apply. It operates as such in advance of the imposition of sanctions upon any particular individual. It is common experience that men conform their conduct to regulations by governmental authority so as to avoid the unpleasant legal consequences which failure to conform entails. And in this case it is alleged without contradiction that numerous affiliated stations have conformed to the regulations to avoid loss of their licenses with consequent injury to appellant.

Such regulations have the force of law before their sanctions are invoked as well as after. When as here they are promulgated by order of the Commission and the expected conformity to them causes injury cognizable by a court of equity, they are appropriately the subject of attack under the provisions of sec. 402(a) and the Urgent Deficiencies Act. *A. T. & T. Co.* v. *United States, supra; Rochester Tel. Corp.* v. *United States,* 307 U. S. 125; *Interstate Commerce Commission* v. *Goodrich Transit Co.,* 224 U. S. 194; *Kansas City So. Ry.* v. *United States,* 231 U. S. 423; *Assigned Car Cases, supra; Chicago R. I. & P. Ry. Co.* v. *United States,* 284 U. S. 80; *United States* v. *B. & O. R. Co., supra.*

It is no answer to say that the regulations are addressed only to the Commission and merely prohibit it from granting—and authorize it to cancel—licenses in the case of all stations entering into such contracts, and that accordingly all stations are left free to enter into contracts or not as they choose. They are free only in the sense that all those who do not choose to conform to regulations which may be determined to be lawful are free by their own choice to accept the legal consequences of their acts. Failure to comply with the regulations entails such consequences to the station owner and to appellant. These are the loss of the affiliated stations' licenses if they adhere to their contracts, and disruption of appellant's network through the declared unlawfulness of the contracts, if the regulations are valid.

The purposes sought to be accomplished by sec. 402(a) and the Urgent Deficiencies Act would be defeated if a suitor were unable to resort to them to avoid reasonably anticipated irreparable injury resulting from such legal consequences of the Commission's order, merely because the Commission as yet has neither refused to renew a license, as the regulations require, nor cancelled a license, as the regulations permit. Such an argument addressed to the form rather than the substance of the order was rejected in *Powell* v. *United States, supra;* cf. *A. F. of L.* v. *Labor Board, supra,* 408. The *Powell* case likewise repudiates the suggestion that merely because the order is not in terms addressed to those whose rights are affected, they cannot seek its review. See also *Western Pacific* v. *South. Pac. Co.,* 284 U. S. 47; *Claiborne-Annapolis Ferry Co.* v. *United States,* 285 U. S. 382.

The order here is not one, as the Government argues and as the court below seemed to think, where the complainant's rights are affected only on the contingency of future administrative action as in *United States* v. *Los Angeles R.R.,* 273 U.S. 299; cf. *Rochester Telephone Corp.* v. *United States, supra,* 130. As the Court declared in the *Los Angeles* case, 309, 310, reviewable orders are "an exercise either of the quasi-judicial function of determining controversies or of the delegated function of rate making and rule making." And the Court pointed out that the "so-called order" in that case did not "determine any right or obligation" or change the plaintiff's "existing or future status or condition," and that it was "merely the formal record of conclusions reached after a study of data collected in the course of extensive research conducted by the Commission" and "is the exercise solely of the function of investigation."

Here the Commission exercised its rule-making power by adopting regulations whose operation is not made subject to future administrative determinations, save only as the Commission may be called on to decide in any given case whether a station's contract with a network is within the regulations. The regulations' applicability to all who are within their terms does not depend upon future administrative action. Instead they operate to control such action and to determine in advance the rights of others affected by it. The Commission gave its own recognition that such is their operation by its successive postponements of the effective date of the order for a period now expired, and by its suspension of Regulations 3.106 and 3.107, in order to enable the networks to dispose of their properties.

Of course the Commission was at liberty to follow a wholly different procedure. Instead of proclaiming general regulations applicable to all licenses, in advance of any specific contest over a license, it might have awaited such a contest to declare that the policy which these regulations embody represents its concept of the public interest. As a matter of sound administrative practice, both the rule-making proceeding and the specific license proceeding undoubtedly have much to commend them. But they are by no means the same, nor do they necessarily give rise to the same kind of judicial review. Having adopted this order under its rule-making power, the Commission cannot insist that the appellant be relegated to that judicial review which would be exclusive if the rule-making power had never been exercised and consequently had never subjected appellant to the threatened irreparable injury.

The court below assumed that if appellant had any equitable cause of action, it must be prosecuted in an ordinary suit and not under the provisions of the Urgent Deficiencies Act. But we think this mistakes both the nature of the regulations and the purpose of suits under that Act, as incorporated in sec. 402(a). Such a cause of action obviously can arise only because of the operation of the regulations. The regulations are the effective implement by which the injury complained of is wrought, and hence must be the object of the attack. It is because they are an exercise of the rule-making power, and because they presently determine rights on the basis of which the Commission is required to withhold licenses and authorized to cancel them, that there is an order within the meaning of sec. 402(a) and the Urgent Deficiencies Act.

The Commission argues that since its Report characterized the regulations as announcements of policy, the order promulgating them is no more subject to review than a press release similarly announcing its policy. Undoubtedly regulations adopted in the exercise of the administrative rule-making power, like laws enacted by legislatures, embody announcements of policy. But they may be something more. When, as here, the regulations are avowedly adopted in the exercise of that power, couched in terms of command and accompanied by an announcement of the Commission that the policy is one "which we will follow in exercising our licensing power," they must be taken by those entitled to rely upon them as what they purport to be—an exercise of the delegated legislative power—which, until amended, are controlling alike upon the Commission and all others whose rights may be affected by the Commission's execution of them. The Commission's contention that the regulations are no more reviewable than a press release is hardly reconcilable with its own recognition that the regulations afford legal basis for cancellation of the license of a station if it renews its contract with appellant.

Appellant's standing to maintain the present suit in equity is unaffected by the fact that the regulations are not directed to appellant and do not in terms compel action by it or impose penalties upon it because of its action or failure to act. It is enough that, by setting the controlling standards for the Commission's action, the regulations purport to operate to alter and effect adversely appellant's contractual rights and business relations with station owners whose applications for licenses the regulations will cause to be rejected and whose licenses the regulations may cause to be revoked. *Chicago Junction Case,* 264 U.S. 258, 266-68; *Western Pacific* v. *South. Pac. Co., supra; Claiborne-Annapolis Ferry Co.* v. *United States, supra;* compare, in the case of an attack upon the validity of a statute, *Truax* v. *Raich,* 239 U.S. 33, 38-39; *Pierce* v. *Society of Sisters,* 268 U.S. 510.

What we have said of the allegations of the complaint, and of the effect of the Commission's order if those allegations are sustained upon the trial, is enough to establish the threat of irreparable injury to appellant's business and to show also that the injury can not be avoided, as the Commission suggests, by appellant's intervention in proceedings upon application for renewal of licenses by its affiliates or in proceedings to cancel their licenses, if and when such proceedings are instituted. Appellant has sufficiently alleged that the affiliates are cancelling or threatening to cancel their contracts in order to conform to the regulations. It is to avoid the irreparable injury which would result from such wholesale cancellations of its contracts, induced by the force of the regulations, that appellant makes its attack on them now rather than in later proceedings on the individual applications for licenses in those cases, if any, in which the stations are willing to seek licenses without complying with the prerequisites laid down by the regulations.

The issues in such a proceeding are not necessarily the same as the issues here. Intervention in it would afford appellant no assurance either of an adjudication of appellant's contentions or that the action of other stations would be governed by it. Moreover, if the Commission's order is as we hold a reviewable order, appellant is free to seek review under sec. 402(a). It is not thereby, as the court below seemed to think, improperly substituting a different procedure and court for that which Congress has prescribed for the trial of like issues so far as they may be raised on review of an order denying a license. Such issues may likewise be involved in a proceeding, upon the Commission's own motion, for modification or cancellation of a license, which concededly is reviewable under sec. 402(a). See *Scripps-Howard Radio, Inc.* v. *Federal Communications Commission, supra.* But review of the order by a licensee in such a proceeding affords no adequate remedy. If ever instituted, which is uncertain, it would come too late to save appellant from the injury wrought by the outlawry of its contracts.

Nor does the Commission's minute, filed after the present suit was brought, afford an adequate basis for requiring appellant to seek relief by intervention in a proceeding on application for a license reviewable under sec. 402(b). In that event the minute would not operate to broaden the issues involved in the renewal application. Nor would it afford a basis for restraining enforcement of the regulations as to other affiliated stations, pending adjudication of the validity of the regulations. Without full exploration of the subject, such as can be had only at the trial, we cannot say that the minute will afford a sufficient inducement to persuade the affiliated stations to cease cancellations and assume the initiative in litigating the validity of the regulations and of the contracts which they undertake to condemn. The affidavit filed in the court below on the application for a stay is to the contrary. And in any case we are of the opinion that there are no equitable principles by which the right of appellant, upon the showing made by its complaint and affidavit, to test the order under sec. 402(a) can justly be suspended to await action which the station owners may or may not take in assuming the burden of challenging the regulations.

We need not stop to discuss here the great variety of administrative rulings which, unlike this one, are not reviewable—either because they do not adjudicate rights or declare them legislatively, or because there are adequate administrative remedies which must be pursued before resorting to judicial remedies, or because there is no occasion to resort to equitable remedies. But we should not for that reason fail to discriminate between them and this case in which, because of its peculiar circumstances, all the elements prerequisite to judicial review are present. The ultimate test of reviewability is not to be found in an overrefined technique, but in the need of the review to protect from the irreparable injury threatened in the exceptional case by administrative rulings which attach legal consequences to action taken in advance of other hearings and adjudications that may follow, the results of which the regulations purport to control.

We conclude that the Commission's promulgation of the regulations is an order reviewable under sec. 402(a) of the Act, and that the bill of complaint states a cause of action in equity. The stay now in effect will be continued, on terms to be settled by the court below.

Reversed.

Mr. Justice Black took no part in the consideration or decision of this case.

SUPREME COURT OF THE UNITED STATES

No. 1026—October Term, 1941

Columbia Broadcasting System, Inc., Appellant,
vs.
The United States of America, Federal Communications Commission and Mutual Broadcasting System, Inc.

Appeal from the District Court of the United States for the Southern District of New York.

June 1, 1942

Mr. Justice Frankfurter dissenting.

The criteria governing judicial review of "orders" under the Urgent Deficiencies Act were defined by a unanimous Court in *United States* v. *Los Angeles R. R.,* 273 U. S. 299, 309-10: "The so-called order here complained of is one which does not command the carrier to do, or to refrain from doing, any thing; which does not grant or withhold any authority, privilege or license; which does not extend or abridge any power or facility; which does not subject the carrier to any liability, civil or criminal; which does not change the carrier's existing or future status or condition; which does not determine any right or obligation." If "broadcasting company" were substituted for "carrier", this analysis of the legal consequences of the action of the Interstate Commerce Commission in the *Los Angeles* case would fit perfectly the legal consequences of the action of the Federal Communications Commission in making public the challenged regulations.

The fact that an action of an administrative agency occasions even irreparable loss does not in itself afford sufficient grounds for judicial review. Even if the Commission committed a wrong, the question of judicial reviewability still remains that put in the *Los Angeles* case, 273 U. S. at 313, to wit, is it "a wrong for which Congress provides a remedy under the Urgent Deficiencies Act" of October 22, 1913, 38 Stat. 208, 219, as incorporated in §402 (a) of the Communications Act of 1934?

For Congress has not authorized resort to the federal courts merely because someone feels aggrieved, however deeply, by an action of the Federal Communications Commission. A District Court of the United States can take a case only when Congress has authorized that type of case to be taken. Congress did not leave opportunity for reviewing damaging action by the Federal Communications Commission to the general equity powers of the district courts. It circumscribed the power of the courts in relation to the Commission in the most detailed way. Its incorporation by reference, in the Communications Act of 1934, of the scope of review allowed in reviewing an "order" of the Interstate Commerce Commission gave all the precise, definite, and technical boundaries which the concept of a reviewable "order" had acquired through the decisions of this Court prior to the enactment of the Communications Act. The precise requirements of an "order" of the Commission for purposes of judicial review are therefore as inflexible as though they were written into the Act itself.

Our problem, then, is this: Does the issuance of the chain broadcasting regulations constitute an "order" reviewable in a proceeding brought under § 402(a) of the Communications Act, in the light of the settled rules for determining what such an "order" is when a determination of the Interstate Commerce Commission is made the basis of judicial review. It is therefore necessary to put out of mind what this case is not. It is not the invocation of equity jurisdiction in order to avoid threatened irreparable harm resulting from the criminal enforcement of an unconstitutional statute, as in *Pierce* v. *Society of Sisters,* 268 U. S. 510. Nor do we have here a resort to equity because it is essential for the protection of asserted rights that criminal prosecutions unauthorized by law be restrained, as in *Shields* v. *Utah Idaho R. Co.,* 305 U. S. 177, 183.

In promulgating these regulations the Communications Commission merely announced its conception of one aspect of the public interest, namely, the relationship of certain provisions in network-affiliation contracts to the obligation of a station licensee to render the most effective service to the listening public. The regulations themselves determine no rights. They alter the status of neither the networks nor licensees. As such they require nobody—neither the networks, the licensees, nor the Commission—to do anything. They are merely an announcement to the public of what the Commission intends to do in passing upon future applications for station licenses. No action of the stations or the networks can violate the regulations, for there is nothing the regulations require them to do or refrain from doing.

Announcements of general policies intended to be followed by administrative agencies customarily take any one of various forms. Sometimes they are noted in the agency's annual report to Congress, sometimes in a public announcement or press release, and sometimes, as was the case here, they are published as "rules" or "regulations". See Final Report of the Attorney General's Committee on Administrative Procedure (1941), pp. 26-27. But whatever form such announcements may take, their nature and effect is the same. The reason why the Commission formulated its chain broadcasting policy in the form of a "regulation" is given in its report: "We believe that the announcement of the principles we intend to apply in exercising our licensing power will expedite business and further the ends of justice. . . . Good administrative practice would seem to demand that such a statement of policy or rules and regulations be promulgated wherever sufficient information is available upon which they may be based." Report on Chain Broadcasting, Federal Communications Commission, Order No. 37, Docket No. 5060, p. 85.

With respect to its jurisdiction over matters relating to radio broadcasting, the Communications Commission is essentially a licensing agency. Its regulatory power over the industry is derived, for the most part, from its authority to grant and withhold station licenses. Under § 309 of the Communications Act of 1934 the Commission is required to examine each application for a station license and to determine in each case whether a grant would serve public interest, convenience, or necessity. As was noted in *Federal Communications Commission* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 138, the Act "expresses a desire on the part of Congress to maintain, through appropriate administrative control, a grip on the dynamic aspects of radio transmission." To that end Congress established an administrative procedure under which the Commission must make a specific determination in each case whether the public interest would be served by granting the particular application before it. No announcement of general licensing policy can relieve the Commission of its statutory obligation to examine each application for a license and determine whether a grant or denial is required by the public interest.

The Commission recognized this fact in issuing these regulations. It explicitly stated that a determination of the requirements of the public interest will, in spite of the regulations, still have to be made in passing upon particular applications: "Announcements of policy may take the form of regulations or of general public statements. In either case, the applicant's right to a hearing on the question whether he does in fact propose to operate in the public interest is fully preserved. The regulations we are adopting are nothing more than the expression of the general policy we will follow in exercising our licensing power. The formulation of a regulation in general terms is an important aid to consistency and predictability and does not prejudice any rights of the applicant." Report on Chain Broadcasting, *supra*, p. 85.

Subsequent to the promulgation of the regulations, the Commission found that substantial modifications were necessary. In its supplemental report on these amendments the Commission gave further evidence of the flexible nature of the regulations: "The Commission stands ready at all times to amend and modify its regulations upon the petition of any network, national or regional, or any station or group of stations if it can be shown that those regulations prevent profitable network operations, or unduly disturb any aspect of broadcasting, or that because of special or changed circumstances the chain broadcasting regulations should not be applicable to any particular situation." Moreover, in its Minute of October 31, 1941, designed primarily to protect the interests of station licensees who contest the validity of the regulations, the Commission again made it abundantly clear that the regulations were not final: "If a station wishes to contest the validity of the Chain Broadcasting Regulations . . . , or the reasonableness of their application to the particular station, its license will be set for hearing."

The regulations do not, therefore, commit the Commission to any definitive course of action in passing upon applications for licenses. Consistently with the regulations (and, parenthetically, consistently with the authority of the Commission to depart from general regulations where such departure is in the public interest, see *Radio Commission* v. *Nelson Bros. Co.*, 289 U. S. 266, 285), the Commission is free to dilute them with amendments and exceptions. The construction of the regulations and their application to particular situations is still in the hands of the Commission. Administrative adjudication is still open. Before its completion it is not ripe for judicial review.

The characteristics of the administrative determinations in all the cases on which the Court's opinion relies were wholly different. In each one the force of the law either through criminal prosecution or injunction or fine or some other judicial remedy could immediately be brought to bear to enforce the command of the administrative agency. In none of the cases was an administrative action held reviewable which in itself entailed no immediate legal consequences.

Thus, in the *Assigned Car Cases*, 274 U. S. 564, suit was brought under the Urgent Deficiencies Act to annul an order of the Interstate Commerce Commission prescribing for all railroads within its jurisdiction a rule governing distribution of cars for the transportation of bituminous coal. Under § 402 of the Transportation Act of 1920, 41 Stat. 456, 476, 49 U. S. C. § 1 (12) (14), the carriers were required "to make just and reasonable distribution of cars," and the Commission was authorized to "establish reasonable rules, regulations, and practices with respect to car service by carriers by railroad." Failure of a carrier to comply with such regulations issued by the Commission was declared unlawful, subjecting the carrier to a fine of $100 for each offense. Since the order of the Commission commanded carriers to take specified actions, and since the failure to comply with the order would bring immediate legal sanctions, the order was held reviewable.

Similarly, in *United States* v. *B. & O. R. Co.*, 293 U. S. 454, the Interstate Commerce Commission required railroads subject to its jurisdiction to equip locomotives with a suitable type of power-operated reverse gear. The Boiler Inspection Act, 36 Stat. 913, 916, expressly provided that violation by a carrier of any rule or regulation issued by the Commission under the Act was punishable by a fine recoverable in a civil action. A suit under the Urgent Deficiencies Act to set aside the Commission's order was therefore entertained.

A. T. & T. Co. v. *United States*, 299 U. S. 232, was a suit under § 402(a) of the Communications Act of 1934, the same provision upon which jurisdiction of the present litigation is based, to set aside an order of the Federal Communications Commission prescribing a uniform system of accounts for telephone companies within the Act. Section 220(a) authorized the Commission to prescribe such forms of accounts, and § 220(d) made the failure or refusal of a company to keep accounts in the manner prescribed by the Commission unlawful, punishable by a $500 forfeiture for each day of the continuance of the offense. Because of the legal sanctions immediately attaching upon its violation, the order was held reviewable.

In *Interstate Commerce Commission* v. *Goodrich Transit Co.*, 224 U. S. 194, the Commission, under the authority vested in it by § 20 of the Interstate Commerce Act, issued orders prescribing forms of accounts, records, and memoranda and calling for annual reports of carriers by water. Section 20(7) made it unlawful for such carriers to keep any accounts other than those prescribed by the Commission. A suit to set aside the orders was therefore entertained. Similarly, in *Kansas City So. Ry.* v. *United States*, 231 U. S. 423, suit was brought to annul regulations of the Interstate Commerce Commission prescribing a uniform bookkeeping and accounting system for interstate railway carriers. Since carriers who failed to keep accounts as ordered by the regulations were subject to penalties under § 20(7) of the Act, jurisdiction was taken. And in *Chicago, R. I. & P. Ry. Co.* v. *United States,* 284 U. S. 80, the Interstate Commerce Commission prescribed car-hire settlement rules governing use by common carriers of each other's cars. Violation of such rules by carriers was declared unlawful and subject to fines. Consequently, a suit to set aside the rules was entertained.

Of course, the mere fact that an administrative order determines a status does not mean that it is not reviewable. If an administrative determination of status has the effect of subjecting a person to legal obligations, whether embodied in statute or previously formulated administrative commands, or otherwise affecting legal rights, such a determination possesses the elements of a reviewable order. Thus, in *Rochester Tel. Corp.* v. *United States,* 307 U. S. 125, the Federal Communications Commission had issued orders requiring all telephone carriers subject to the Communications Act of 1934 to file schedules of their charges, copies of contracts with other carriers, etc. Section 203(e) of the Act provides that a carrier which fails or refuses to comply with such rules of the Commission shall forfeit $500 for each offense, and $25 for each day of its continuance. After investigation and hearing, the Commission determined that the Rochester Telephone Corporation was a telephone carrier subject to the Act and therefore subject to the previously promulgated general orders directed to carriers within the Commission's jurisdiction. "The order of the Communications Commission in this case was therefore reviewable. It was not a mere abstract declaration of status of the Rochester under the Communications Act, nor was it a stage in an incomplete process of administrative adjudication. The contested order determining the status of the Rochester necessarily and immediately carried direction of obedience to previously formulated mandatory orders addressed generally to all carriers amenable to the Commission's authority. Into this class of carriers the order under dispute covered the Rochester, and by that fact, in conjunction with the other orders, made determination of the status of the Rochester a reviewable order of the Commission." *Rochester Tel. Corp.* v. *United States,* 307 U. S. at 143-44. Compare *A. F. of L.* v. *Labor Board,* 308 U. S. 401, 408. Unlike the action taken by the Federal Communications Commission in the *Rochester* case, its action here carried no directions of obedience of any kind to anyone.

It is said that the regulations derive legal effect through § 312(a) giving the Commission authority to revoke licenses, and that "by virtue of the regulations alone", the networks and their affiliates are now subjected to legal detriment. But this is merely another way of phrasing the main contention that the regulations at once and without further action by the Commission release legal sanctions. But the regulations have no such effect. To be sure, the Commission can revoke a station license "because of conditions revealed by such statements of fact as may be required from time to time which would warrant the Commission in refusing to grant a license on an original application". But the Commission may never require a licensee to file a statement of fact under § 312(a); its provisions may therefore never come into operation. In any event, the regulations as such do not subject licensees to any sanctions. A license can be revoked under § 312(a) because of the licensee's failure to operate its station in the public interest, as required by the statute. The regulations adopted by the Commission cannot operate to revoke any licenses. It is only after a proceeding has been started (in which the licensee is entitled to a hearing during which the revocation order is suspended) and adversely concluded against a party that legal sanctions come into play—the Commission can bring proceedings to enforce its order of revocation and, correspondingly, the licensee can bring suit under § 402(a) challenging the validity of the Commission's termination of the license.

Section 502 of the Communications Act provides that the violation of "any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act" shall be a criminal offense. Would the renewal by a licensee of its network-affiliation contract subject it to the criminal penalties imposed by § 502? Obviously not, for the regulations do not forbid a licensee from taking that or any other action. And, for the same reason, a license could not be revoked under the provision of § 312(a) which authorizes revocation "for violation of or failure to observe . . . any regulation of the Commission authorized by this Act. . . ." If the Commission had issued regulations which ordered licensees to do or refrain from doing something, the problem would be entirely different. Violation by a licensee of such a regulation would be grounds for revocation of its license, under § 312(a), and for the imposition of criminal penalties, under § 502. And, the other requisites being present, such a regulation could be reviewed as a final administrative determination.

This leaves only the suggestion that since the action taken by the Commission, although not the completion of its adjudicatory process, nevertheless drastically affects substantial business interests, it is proper for the courts to intercede at this stage. Even if this argument were to be considered as if it had never before been made to and rejected by this Court, its infirmities are obvious. As a practical matter, the impact upon the business operations of the networks and their affiliated stations would probably be as disturbing as if the policies formulated in the regulation had been expressed through a press release, or if only the report, which is not only the foundation of the regulations but also embodies them, had been published without the regulations which are only the summary of the report, or if Congress itself had incorporated these regulations into the text of the Communications Act. It will hardly be argued that any of these steps could be the subject of judicial review before the Commission acted upon particular applications. But assume that the greater formality given to the announcement of the Commission's statement of policy through the regulations intensified the practical business consequences. Congress has not conferred upon the district courts jurisdiction over "practical business consequences". They can review action of administrative agencies only when there is an "order", and when Congress in § 402(a) made only an "order" of the Communications Commission reviewable, it incorporated the settled doctrine established by an unbroken series of decisions in this Court that the courts could review only a final determination by an agency whereby its process has been concluded.

This is not the first time that the federal courts have been urged to sit in judgment upon "practical business consequences" where the action to be reviewed did not represent the final stage of administrative adjudication. The arguments made in this case have been made in the past but heretofore have always been rejected by this Court. The classic formulation and application of the doctrine of finality as to orders under the Urgent Deficiencies Act was contained in *United States* v. *Los Angeles R. R.,* 273 U. S. 299. In view of the thoroughness of the argument at the bar, and the weightiness of the opinion, that case has ever since been regarded as furnishing the guideposts in this field of law. It should govern here.

Suit was brought there to annul and enjoin an order of the Interstate Commerce Commission determining the final valuation for rate-making purposes of the Los Angeles & Salt Lake Railroad Company which operated a thousand miles of railroad lines. The valuation fixed by the Commission was $45,200,000; the carrier claimed that if the Commission had employed proper standards of valuation, the figure would be $70,000,000, a difference of $24,800,000. At the time suit was brought approximately 250,000 miles of railroad lines throughout the country were undergoing valuation. The validity of the criteria employed by the Commission in the case of the Los Angeles & Salt Lake Railroad Company was therefore of enormous national significance. In the words of Commissioner Eastman, "This case deals with an issue of greater moment to the country than any that we have ever determined." 75 I. C. C. 523. These issues involving practically every phase of valuation law, were canvassed in an adversary proceeding before the Commission lasting nearly a year and a half, resulting in a report of one hundred and forty pages, and expressed in a formal "order" of ten pages. Counsel for the railroad company there, as do counsel for the broadcasting company here, relied upon the practical finality of the order as a basis for review: "As a practical matter, the Commission in any and all proceedings in which it has occasion to use this valuation will give it not *prima facie* but conclusive effect. In the valuation proceeding before the Commission which resulted in this order petitioner introduced its evidence of the value of the properties and the proceeding resulted in a valuation greatly at variance with the evidence and contentions of petitioner. No greater effect will be given to evidence which petitioner may introduce in some future proceeding before the Commission in an attempt to overcome the *prima facie* effect accorded by the Act to this valuation order. Therefore, unless and until set aside and annulled, this valuation will stand as a continuing menace against petitioner, and may be repeatedly used to petitioner's prejudice in rate, division, consolidation, security-issue and recapture proceedings." Brief for Appellee, pp. 64, 65.

The Court specifically referred to this argument of counsel: "One [argument in support of jurisdiction] is that since the Commission has by reason of errors of law and of judgment grossly undervalued the property, its report will, unless suppressed, injure the credit of the carrier with the public." Finding, however, that the order did not finally determine any legal rights, the Court refused review: "Its [the Commission's] conclusions, if erroneous in law, may be disregarded. But neither its utterances, nor its processes of reasoning, as distinguished from its acts, are a subject for injunction." 273 U. S. at 314-15.[1]

To argue that irreparable injury implies reviewability is in effect to contend that there must be a remedy because the plaintiff claims serious damage. But in these situations—in reviewing "orders" under the Urgent Deficiencies Act—federal courts can give a remedy only to enforce a legal right, and a legal right cannot be derived merely by concluding that a particular claim of hardship should afford a remedy. While formally we may appear to be dealing with technicalities, behind these considerations lie deep issues of policy in the division of authority as between administrative agencies and courts in carrying out the constitutional will of Congress. The source of the misconception underlying the claim for equitable relief in this case is the assumption that this is merely an ordinary invocation of equity, as though it were a controversy between two litigants of which only the courts are or can be seized. What we are here concerned with is due regard for the proper distribution made by Congress of legal authority as between two law-enforcing agencies of government, the administrative and the judicial. See *United States* v. *Morgan,* 307 U. S. 183, 190-91; *Federal Communications Commission* v. *Pottsville Broadcasting Co.,* 309 U. S. 134.

This case illustrates anew the influence of a particular instance of felt hardship in derailing legal principles from customary tracks. But this is not an isolated case. If threatened damage through general pronouncement of policy for future administrative action, to equitable review apart from the rule that judicial review is premature because of want of administrative finality, the same basis of irreparable harm which is here equated to jurisdiction will bear rich litigious fruit in the case of "regulations" issued by the Securities and Exchange Commission which are damaging in their immediate repercussions to stock exchange and holding companies, or regulations announced by the Treasury for the guidance of taxpayers but which adversely affect business interests, or regulations by the Federal Power Commission, etc. Suppose, for example, that the Commissioner of Internal Revenue issues a ruling that profits derived by radio stations from their network operations are subject to a tax deemed by them onerous and illegal. Could a network successfully bring a suit in equity prior to the imposition of such taxes to invalidate the ruling on the ground that its practical consequence was the cancellation of or refusal to renew network affiliations? One had supposed that the answer was clearly no. But surely in principle the problem is essentially that of the cases before us.

A final consideration remains. We are not dealing with the reviewability of administrative orders *in vacuo*. The reviewability of an order of the Federal Communications Commission depends upon the statutory scheme of judicial review embodied in § 402 of the Communications Act of 1934. Therefore, even if the regulations could be deemed to possess the essential attributes of a reviewable order. it would not inevitably follow that the order is reviewable in the manner provided for by § 402(a) of the Act. The scope and historical background of the provisions for judicial review contained in the Communications Act of 1934 have too recently been canvassed, see *Scripps-Howard Radio, Inc.* v. *Federal Communications Commission,* —— U. S. ——; *Federal Communications Commission* v. *Columbia Broadcasting System,* 311 U. S. 132; *Federal Communications Commission* v. *Pottsville Broadcasting Co.,* 309 U. S. 134, to require detailed consideration here. Briefly, the Act created two avenues by which orders of the Federal Communications Commission were open to review by the federal courts. Under § 402(a), incorporating the provisions of the Urgent Deficiencies Act of October 22, 1913, 38 Stat. 208, 219, relating to judicial review of orders of the Interstate Commerce Commission, a suit to enforce, set aside, annul, or suspend an order of the Federal Communications Commission may be brought in a specially constituted district court, with a right of direct appeal to this Court, only if the order does not fall within the exceptions enumerated by § 402(b), namely, orders granting or denying applications for station licenses or construction permits and for renewal or modification of licenses. Review of the orders comprehended within § 402(b) is available only through an appeal to the Court of Appeals for the District of Columbia, with no right of direct appeal to this Court.

If the regulations do constitute an order, what kind of an order can it be? It must be in the nature of a blanket denial, operating *in futuro,* to be sure, of applications for renewal of station licenses. But the Act expressly precludes judicial review of orders denying renewal applications of licensees in any manner other than that prescribed by § 402(b), to wit, by an appeal to the Court of Appeals for the District of Columbia. As the court below held, the effect of taking jurisdiction in these cases is to substitute a different court and a different procedure for those specified by Congress. This Court has not in the past displayed such an indifference to the particularities of legislation defining the jurisdiction of the lower federal courts. On the contrary, only last Term did the Court insist upon strict compliance with the statutory scheme for judicial review established by the Communications Act of 1934. See *Federal Communications Commission* v. *Columbia Broadcasting System,* 311 U. S. 132.

Even if we were free to disregard the scheme for judicial review which Congress has established, I could not agree that an appeal under § 402(b) would not be an adequate means for testing the claims made in the present litigation. There is essentially only one issue on the merits in this proceeding, namely, whether the adoption by the Commission of the policies expressed in the regulations transgresses its statutory and constitutional authority. But this issue could be raised and fully determined in an appeal under § 402(b) from an order denying a renewal application. Indeed, in its Minute of October 31, 1941, the Commission explicitly stated that the validity of the regulations could be put in issue in a renewal proceeding. If anything, therefore, the issues in an appeal under § 402(b) would be broader and not narrower than the issues here. Moreover, since the reasonableness of the application of the regulations to the particular situation would also be in issue in the renewal proceeding, the reviewing court would have before it a record containing elements of concreteness and particularity not present in the record now before us.

The Commission's Minute enables a licensee to contest the validity of the regulations, or the reasonableness of applying them to the particular case, without fear of losing its license. "In order to insure that the station may remain on the air and be in no way injured by any such Commission proceeding [contesting the validity of the regulations] and appeal to court from a decision in such proceeding, the Commission will grant such licensee a temporary extension of its license, with renewals from time to time until there has been a final determination of the issues raised at such hearing. In the event of such litigation, and if the validity of the application of the Chain Broadcasting Regulations to such licensee is sustained by the courts, the Commission will nevertheless grant a regular license to the licensee, otherwise entitled thereto, who has unsuccessfully litigated that issue, if the licensee thereupon conforms to the decision."

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[1] To the same effect is United States v. Illinois Cent. R. R. Co., 244 U. S. 82. There the Interstate Commerce Commission issued an order fixing the time and place for hearing complaints made by various coal companies seeking damages against railroads for failing to supply a sufficient number of coal cars for their shipping needs. The railroads brought suit under the Urgent Deficiencies Act to annul this order, alleging that unless the hearing were restrained, the railroads would be put to enormous expense and inconvenience. The Court held that the notice of hearing "had no characteristics of an order affirmative or negative", and since it "was a mere incident in the proceeding", the suit could not be entertained. 244 U. S. at 89.

Plainly, therefore, a licensee is under no compulsion to cancel or modify its affiliation contract. Licensees who regard the regulations as invalid are free to continue their existing contracts and at the same time challenge the regulations in the orderly manner provided by the Act—and without any danger of losing their right to continue broadcasting. Similarly, the interests of the networks may be protected through intervention in renewal proceedings. Under the Commission's procedure, Rule 1.102 of the Rules of Practice and Procedure, where a renewal application is designated for hearing because of the licensee's contractual arrangements with others, the latter are customarily permitted to intervene. See, for example, Application of E. J. Regan and F. Arthur Bostwick, Docket No. 5788; Application of John H. Stenger, Jr., Docket No. 5430; Application of Ocala Broadcasting Co., Docket No. 6000; Application of Panama City Broadcasting Co., Docket No. 6001.

We need go no farther than this litigation to perceive the unfortunate effects of premature judicial review. The chain broadcasting regulations were issued on May 2, 1941, more than a year ago. They were adopted by the Commission as a consequence of its finding, after an investigation lasting more than three years, that certain features of network-affiliation contracts prevented licensees from effectively discharging their obligation to render the fullest service to the listening public. The policy formulated by the Commission may or may not be wise—that is not our concern. But we cannot blink the fact that this litigation has for more than a year prevented the Commission from testing by experience the practical wisdom of a policy found by it to be required by the public interest. The commencement of a proceeding under § 402(b) would not have presented the jurisdictional problems present in this proceeding. Surely those desirous of a speedy adjudication of the issue of the validity of the regulations were aware that the commencement of a proceeding under § 402(a) would not produce a prompt adjudication on the merits, but that it would instead result in postponing for a considerable period the effective date of the regulations, with all the contingent advantages afforded by such postponement.

Hardship there may well come through action of an administrative agency. But to slide from recognition of a hardship to assertion of jurisdiction is once more to assume that only the courts are the guardians of the rights and liberties of the people. In denying that it had power to review the action of the Federal Communications Commission because that body had not yet determined a legal right, the court below, as Judge Learned Hand's opinion abundantly proves, was not respecting a rule of etiquette. On the contrary, it merely recognized that the federal courts are entrusted with the correction of administrative errors or wrongdoing only to the extent of Congressional authorization. To say that the courts should reject the doctrine of administrative finality and take jurisdiction whenever action of an administrative agency may seriously affect substantial business interests, regardless of how intermediate or incomplete the action may be, is, in effect, to imply that the protection of legal interests is entrusted solely to the courts. The unbroken current of this Court's decisions in construing the scope of judicial review under the Urgent Deficiencies Act, and which is the only warrant for jurisdiction in this case, repels such a contention. The decision should therefore be affirmed.

Mr. Justice Reed and Mr. Justice Douglas join in this dissent.

NORTH DAKOTA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	1,149	87.7	1,008	......	....	......	499	88.5	442	650	87.1	566
Barnes	4,446	91.0	4,044	1,642	93.7	1,538	896	88.5	793	1,908	89.8	1,713
Benson	2,828	88.5	2,504	......	....	......	1,257	84.6	1,063	1,571	91.7	1,441
Billings	562	75.9	427	......	....	......	98	77.3	76	464	75.7	351
Bottineau	3,351	87.3	2,926	......	....	......	1,365	84.8	1,158	1,986	89.0	1,768
Bowman	1,033	81.9	845	......	....	......	465	80.7	375	568	82.8	470
Burke	1,989	88.7	1,764	......	....	......	905	89.5	810	1,084	88.0	954
Burleigh	5,472	92.3	5,051	3,907	94.6	3,697	375	85.5	321	1,190	86.8	1,033
Cass	13,222	94.8	12,538	8,618	95.7	8,247	2,032	91.6	1,860	2,572	94.5	2,431
Cavalier	3,118	87.2	2,720	......	....	......	1,141	87.8	1,002	1,977	86.9	1,718
Dickey	2,375	87.6	2,080	......	....	......	1,175	87.0	1,022	1,200	88.2	1,058
Divide	1,878	90.1	1,691	......	....	......	730	87.8	641	1,148	91.5	1,050
Dunn	1,814	79.7	1,445	......	....	......	508	82.7	420	1,306	78.5	1,025
Eddy	1,363	91.5	1,247	......	....	......	671	92.8	623	692	90.2	624
Emmons	2,268	80.0	1,814	......	....	......	915	76.6	701	1,353	82.2	1,113
Foster	1,394	89.9	1,254	......	....	......	770	88.8	684	624	91.3	570
Golden Valley	896	87.5	784	......	....	......	419	88.0	369	477	87.1	415
Grand Forks	8,616	93.1	8,018	5,313	94.9	5,041	1,144	87.1	996	2,159	91.7	1,981
Grant	1,802	76.7	1,382	......	....	......	573	77.2	442	1,229	76.5	940
Griggs	1,410	88.6	1,250	......	....	......	563	89.2	502	847	88.3	748
Hettinger	1,622	83.1	1,348	......	....	......	655	84.8	556	967	81.9	792
Kidder	1,507	85.5	1,289	......	....	......	560	83.9	470	947	86.5	819
LaMoure	2,388	87.9	2,098	......	....	......	1,060	85.5	906	1,328	89.7	1,192
Logan	1,574	80.3	1,264	......	....	......	585	76.5	447	989	82.6	817
McHenry	3,355	85.6	2,873	......	....	......	1,451	84.9	1,232	1,904	86.2	1,641
McIntosh	1,995	78.1	1,559	......	....	......	959	75.2	721	1,036	80.9	838
McKenzie	2,179	84.3	1,837	......	....	......	644	84.0	541	1,535	84.5	1,296
McLean	3,806	83.5	3,179	......	....	......	1,520	82.6	1,256	2,286	84.1	1,923
Mercer	2,075	78.1	1,620	......	....	......	1,009	79.5	802	1,066	76.7	818
Morton	4,482	89.3	3,994	1,593	94.7	1,508	1,126	82.0	923	1,763	88.7	1,563
Mountrail	2,679	86.6	2,320	......	....	......	1,073	87.3	937	1,606	86.1	1,383
Nelson	2,185	90.3	1,972	......	....	......	959	90.9	871	1,226	89.8	1,101
Oliver	824	85.7	706	......	....	......	181	87.1	158	643	85.3	548
Pembina	3,625	89.3	3,236	......	....	......	1,782	85.8	1,530	1,843	92.5	1,706
Pierce	1,993	86.1	1,716	......	....	......	862	83.2	717	1,131	88.3	999
Ramsey	3,714	93.1	3,458	1,544	94.2	1,455	752	88.6	666	1,418	94.3	1,337
Ransom	2,449	90.9	2,227	......	....	......	1,200	90.7	1,089	1,249	91.1	1,138
Renville	1,461	91.5	1,337	......	....	......	538	91.5	492	923	91.6	845
Richland	4,867	91.5	4,452	982	95.7	940	1,458	88.6	1,292	2,427	91.5	2,220
Rolette	2,663	71.3	1,898	......	....	......	900	84.8	763	1,763	64.4	1,135
Sargent	2,120	88.1	1,869	......	....	......	881	85.2	751	1,239	90.2	1,118
Sheridan	1,484	86.6	1,285	......	....	......	507	80.9	410	977	89.6	875
Sioux	942	71.2	671	......	....	......	484	71.2	345	458	71.3	326
Slope	746	84.5	630	......	....	......	225	92.3	208	521	81.1	422
Stark	3,396	86.2	2,927	1,485	89.5	1,329	649	77.3	502	1,262	86.9	1,096
Steele	1,425	87.7	1,249	......	....	......	470	85.8	403	955	88.6	846
Stutsman	5,166	90.5	4,677	2,245	94.8	2,129	889	83.3	741	2,032	88.9	1,807
Towner	1,755	90.3	1,583	......	....	......	776	88.2	684	979	91.8	899
Traill	2,897	91.2	2,642	......	....	......	1,442	89.9	1,278	1,475	92.5	1,364
Walsh	4,555	88.1	4,015	762	95.9	731	1,267	83.9	1,063	2,526	87.9	2,221
Ward	8,139	91.8	7,471	4,393	95.2	4,181	1,485	87.1	1,293	2,261	88.3	1,997
Wells	2,682	91.1	2,442	......	....	......	1,248	90.1	1,124	1,434	91.9	1,318
Williams	4,307	88.3	3,801	1,585	91.4	1,449	946	87.1	824	1,776	86.0	1,528
State Total	152,043	88.4	134,437	34,069	94.6	32,245	47,024	85.7	40,295	70,950	87.2	61,897

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Fargo	Cass	8,618	95.7	8,247

NAB Research Department

June 3, 1942

FEDERAL COMMUNICATIONS COMMISSION

FOREIGN LANGUAGE "TIME BROKERS"

The FCC has directed its staff to ascertain the activities of "time brokers" in foreign language broadcasts over domestic radio stations. A letter requesting full information in this respect is to be addressed to licensees using their facilities for broadcast programs in foreign tongues.

Approximately 210 standard broadcast stations in this country have foreign language programs, and it is estimated that nearly half of these sell time to "brokers". These "brokers" are not station employees, but rather are independent contractors, apparently independent of any one station for their livelihood. In general, they obtain blocks of time over a given station and arrange their foreign language programs, selling on their own account spot announcements for use during their allotted time. Many act as their own announcers and seem to enjoy large followings among foreign-born listeners.

The FCC seeks to learn which "brokers" operate over which stations; the precise relationship existing between the "brokers" and their respective stations; the titles of the programs aired; the nature of the programs; and whether in the opinion of the licensee there are objections to, or useful functions for, the broker system. Copies of contracts and agreements concerning the operations of the brokers and stations in connection with the foreign language programs are to be filed with the Commission.

NEW ASSISTANT TO CHAIRMAN

Peter Shuebruk entered upon his duties today as the new Assistant to the Chairman, succeeding Robert G. Seaks (now a Lt., j. g., U. S. N.).

Son of Walter and Alice (Linnell) Shuebruk, he was born at Hull, Mass., on June 24, 1912. He attended Cohasset High School for four years and Phillips Exeter for one year. In 1933 he graduated summa cum laude from Harvard College and then went to England for a year's study at Oxford, under the Julia Henry Fellowship. He received his LL.B. degree in 1937 from Harvard Law School, magna cum laude, where he was an editor of the Harvard Law Review.

Since graduation he has been associated with the Boston law firm of Ropes, Gray, Best, Collidge and Rugg. He married Eileen Edwards of Cohasset, Mass, in 1935. They have one daughter, Susan L., aged three years.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 8. They are subject to change.

Monday, June 8

NEW—Mosby's Incorporated, Anaconda, Mont.—C. P., **1230 kc.,** 250 watts, unlimited.

Consolidated Hearing

NEW—The Constitution Broadcasting Co., Atlanta, Ga.—C. P., **550 kc.,** 1 KW night, 5 KW day, DA-night, unlimited.

NEW—Bob Jones College, Inc., Cleveland, Tenn.—C. P., **550 kc.,** 1 KW night, 5 KW day, DA-night, unlimited.

Tuesday, June 9

NEW—Chambersburg Broadcasting Company, Chambersburg, Pa.—C. P., **1340 kc.,** 250 watts, unlimited.

Wednesday, June 10

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P., **850 kc.,** 1 KW night, 5 KW day, DA-night, unlimited.

Further Consolidated Hearing

WICA—WICA, Incorporated, Ashtabula, Ohio—C. P., **970 kc.,** 1 KW night, 5 KW day, unlimited, DA-night.

WWSW—Walker & Downing Radio Corporation, Pittsburgh, Pa. —C. P., **970 kc.,** 5 KW, unlimited, DA-day and night.

WPRP—Julio M. Conesa, Ponce, Puerto Rico—C. P., **1480 kc.,** 1 KW night, 5 KW day, unlimited.

WPRP—Julio M. Conesa, Ponce, Puerto Rico—Modification of Construction Permit, **1520 kc.,** 1 KW night, 5 KW day, unlimited.

WPRP—Julio M. Conesa, Ponce, Puerto, Rico—Renewal of License, **1420 kc.,** 250 watts, unlimited.

Thursday, June 11

WRUF—University of Florida, Gainesville, Fla.—C. P., **850 kc.,** 5 KW, DA-night, unlimited.

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich. —Renewal of License, **1230 kc.,** 100 watts night, 250 watts day, unlimited.

Friday, June 12

Further Hearing

NEW—A. M. Burton, Nashville, Tenn.—C. P., **1410 kc.,** 1 KW, DA-day and night, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WALL—Community Broadcasting Corp., Middletown, N. Y.—Granted modification (B1-MP-1537) of construction permit for new station to operate on **1340 kc.,** 250 watts, unlimited time, for approval of transmitter and studio sites, approval of antenna and change type of transmitter.

WHK-WHKC-WCLE—The Plain Dealer Publishing Co. (Transferor); The Forest City Publishing Co. (Transferee); United Broadcasting Co. (Licensee), Cleveland, Ohio; Columbus, Ohio; Cleveland, Ohio—Granted consent (B2-TC-289) to transfer control of United Broadcasting Company from the Plain Dealer Publishing Co. to the Forest City Publishing Co., on condition that no authority contained herein shall be construed as a finding with respect to, or as an approval of any future transfer of control of the licensee arising out of changes in the stockholdings of Forest City Publishing Co. or otherwise.

WJZM—William D. Hudson and Violet Hutton Hudson (Assignors); Roland Hughes (Assignee), Clarksville, Tenn.—Granted voluntary assignment of license (B3-AL-343) for station WJZM, from William D. and Violet Hutton Hudson, to Roland Hughes, for a total consideration of $26,500.

Western Evergreen Broadcasting Association, Seattle, Wash.—Granted authority (B5-FP-97) to transmit to and exchange with, the Canadian Broadcasting Corporation programs for rebroadcasting.

Blue Network Company, Inc., New York City—Granted authority (B1-FP-98) to transmit programs to Canadian Stations CFCF and CBL and to such other stations in Canada as the Canadian Broadcasting Corp. desires.

The Plain Dealer Publishing Co. (Transferor); The Forest City Publishing Co. (Transferee); United Broadcasting Co. (Licensee), Area of Cleveland, Ohio—Granted consent to transfer control of United Broadcasting Co., licensee of relay stations WEHX, WEHU, WEHV, WRPM, from the Plain Dealer Publishing Co. to The Forest City Publishing

Co., on condition that no authority contained herein shall be construed as a finding with respect to, or as an approval of any future transfer of control of the licensee arising out of changes in the stockholdings of Forest City Publishing Co. or otherwise.

W6XLA—Television Productions, Inc., Los Angeles, Cal.—Granted construction permit (B5-PVB-87) for new television relay station (in lieu of B5-MPVB-46, which expired Oct. 15, 1941) to operate on frequencies **204,000-216,000 kc.**, (Channels 11 and 12), 800 watts peak visual power only, A-5 emission and time of operation in accordance with Sec. 4.4(a).

MISCELLANEOUS

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted license (B4-L-1667) to cover construction permit (B4-P-3063) for new transmitter, install directional antenna for day and night use, increase power to 5 kilowatts, change in hours of operation to unlimited and move transmitter); also authority to determine operating power by direct measurement of antenna power (B4-Z-1400).

WTTM—Trent Broadcast Corp., Trent, N. J.—Granted license (B1-L-1630) to cover construction permit (B1-P-2861, for a new station to operate on **920 kc.**, 1 kilowatt, unlimited time). Also authority to determine operating power by direct measurement of antenna power (B1-Z-1383).

WASK—WFAN, Inc., Lafayette, Ind.—Granted license (B4-L-1622) to cover construction permit (B4-P-3146, for new station to operate on **1450 kc.**, 250 watts, unlimited time, subject to condition that permittee shall satisfy legitimate complaints of blanketing within the 250 m/v contour, including external and cross modulation). Also authority to determine operating power by direct measurement of antenna input (B4-Z-1359).

WASK—WFAN, Inc., Lafayette, Ind.—Granted modification of license (B4-ML-1117) to move studio to 4th and Perry St. Wallace Building, Lafayette, Ind.

KTTS—Independent Broadcasting Co., Springfield, Mo.—Granted license (B4-L-1665) to cover construction permit (B4-P-3156 for new station to operate on **1400 kc.**, 250 watts, unlimited time). Also authority to determine operating power by direct measurement of antenna power (B4-Z-1398).

KRMC—Jamestown Broadcasting Co., Inc., Jamestown, No. Dak. —Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1395).

KEGB—Don Lee Broadcasting System, Portable-Mobile, Area of San Francisco.—Granted license (B5-LRY-272) to cover construction permit (B5-PRY-264) authorizing new relay broadcast station to be used with standard station KFRC; frequencies **1646, 2090, 2190, 2830 kc.**, 100 watts power.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—Granted modification of construction permit authorizing new equipment and increase in power, for extension of completion date to August 1, 1942 (B5-MP-1561).

KHSL—Golden Empire Broadcasting Co., Chico, Cal.—Granted modification (B5-MP-1569) of construction permit authorizing increase in power and installation of DA for day and night, for extension of completion date to July 16, 1942.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted modification (B5-MP-1567) of construction permit (B5-P-3030) authorizing increase in power and installation of directional antenna, for extension of completion date to Sept. 1, 1942.

WBTM—Piedmont Broadcasting Corp., Danville, Va.—Granted license (B2-L-1657) to cover construction permit (B2-P-3217, which authorized increase in night power, installation of new antenna and move of transmitter); also authority to determine operating power by direct measurement (B2-Z-1388).

KPMC—Pioneer Mercantile Co., Bakersfield, Cal.—Granted license (B5-L-1663) to cover construction permit (B5-P-3118, which authorized change in frequency to **1560 kc.**); also authority to determine operating power by direct measurement (B5-Z-1397).

WMSL—Tenn. Valley Broadcasting Co., Inc., Decatur, Ala.—Granted license (B3-L-1663) to cover construction permit (B3-P-3464 for installation of new transmitter).

WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—Granted license (B3-L-1662) to cover construction permit (B3-P-3432, which authorized move of transmitter).

KPO—National Broadcasting Co., Inc., San Francisco, Cal.—Granted license (B5-L-1640) to cover construction permit (B5-P-3251, which authorized changes in equipment).

Scripps-Howard Radio, Inc., Texas Star Broadcasting Co., Greater Houston Brdcstg. Co., Inc., Houston, Texas.—Granted motion of applicants to dismiss without prejudice their applications for a new saation in Houston (Dockets 6088, 6089 and 6096).

KITE—First National Television, Inc., Kansas City, Mo.—Granted motion to accept delayed entry of appearance in re hearing on application for renewal of license. Dismissed application for continuance of hearing.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted petition for leave to amend application for construction permit to eliminate request for construction and to request only 1 kilowatt power unlimited; denied as to removal from docket and for cancellation of hearing now scheduled for June 17.

Andrew L. Todd, Murfreesboro, Tenn.—Granted petition to dismiss without prejudice application for new station.

WOAI—Southland Industries, Inc., San Antonio, Texas.—Granted petition to dismiss without prejudice application for construction permit to operate on **1200 kc.**

WGST—Georgia School of Technology, Atlanta, Ga.—Granted in part petition for extension of time in which to file proposed findings now due June 3, and extended time to June 8.

APPLICATIONS FILED AT FCC

640 Kilocycles

WHKC—United Broadcasting Co., Columbus, Ohio.—License to cover construction permit (B2-P-3255) for new vertical antenna system and move of transmitter.

WHKC—United Broadcasting Co., Columbus, Ohio.—Authority to determine operating power by direct measurement.

850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power for auxiliary transmitter.

1130 Kilocycles

WDGY—George W. Young, Minneapolis, Minn.—Special service authorization to change hours of operation from limited time to unlimited time, using power of 5 kilowatts day, 500 watts night except winter months when power will be reduced to 250 watts after sunset at Albuquerque, New Mexico.

1230 Kilocycles

KWG—McClatchy Broadcasting Co., Stockton, Calif.—Construction permit to make changes in transmitter and antenna and increase power from 100 watts to 250 watts.

1240 Kilocycles

KROY—Royal Miller, Sacramento, Calif.—Construction permit to install new transmitter and increase power from 100 watts to 250 watts.

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Modification of construction permit (B4-P-3178, which authorized a new broadcast station) for change in type of transmitter proposed.

1290 Kilocycles

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Modification of construction permit (B3-P-2944 as modified, which authorized increase in power, installation of directional antenna for night use) for extension of completion date from 6-15-42 to 8-15-42.

1340 Kilocycles

WCLS—WCLS, Incorporated, Joliet, Illinois.—License to cover construction permit (B4-P-3455) for move of transmitter.

1380 Kilocycles

WAWZ—Pillar of Fire, Zarephath, N. J.—License to cover construction permit (B1-P-3200) as modified, for increase in power, install new transmitter and changes in directional antenna system.

WAWZ—Pillar of Fire, Zarephath, N. J.—Authority to determine operating power by direct measurement.

1400 Kilocycles

WJZM—William D. Hudson and Violet Hutton Hudson, Clarksville, Tenn.—Voluntary assignment of license from William D. Hudson and Violet Hutton Hudson to Roland Hughes.

1450 Kilocycles

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—Construction permit to move transmitter and studio from Riverside Ave. and Island Road, 2 mile S. E. of Marysville, Calif. to Ellis Lake, facing 14th St., Marysville, Calif. Amended to request change in proposed transmitter and studio location to N. W. Corner of East half of Block 1, Laurellan Tract, on county road in Reclamation District No. 10, N. W. of Marysville, Calif.

1490 Kilocycles

WMRN—The Marion Broadcasting Co., Marion, Ohio—Transfer of control through sale of 130 shares (65%) of stock by Frank E. Mason and Ellen Mason to Howard F. Guthery and Florence Guthery.

1500 Kilocycles

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Modification of construction permit (B4-P-2399, as modified, which authorized change in hours of operation and directional antenna system) for extension of completion date from 5-30-42 to 7-30-42.

1510 Kilocycles

WLAC—J. T. Ward, trading as WLAC Broadcasting Service, Nashville, Tenn.—Modification of construction permit (B3-P-1250, as modified, which authorized new transmitter and directional antenna for night use, increase in power, and move transmitter) for extension of completion date from 6-1-42 to 8-1-42.

1550 Kilocycles

WHAT—Independence Broadcasting Co., Philadelphia, Pa.—Modification of license to change frequency from **1340** to **1550 kc.**, and change hours of operation from Shares-WTEL to unlimited time.

1590 Kilocycles

WAKR—Summit Radio Corp., Akron, Ohio—Extension of special service authorization to operate with 5 KW power daytime (non-directional) using 5 KW transmitter specified under construction permit B2-P-3038 for period of one year.

FM APPLICATIONS

W39NY—City of New York, Municipal Broadcasting System, New York, N. Y.—Modification of construction permit (B1-PH-83, which authorized new high frequency broadcast station) for extension of completion date from 6-14-42 to 11-14-42.

K45LA—Don Lee Broadcasting System, Los Angeles, Cal.—Modification of construction permit (B5-PH-26, as modified, which authorized a new high frequency broadcast station) for extension of commencement and completion dates from 2-14-42 and 8-13-42 to 8-13-42 and 1-9-43, respectively.

W71SB—South Bend Tribune, South Bend, Ind.—Modification of construction permit (B4-PH-54, as modified, which authorized a new high frequency broadcast station) for extension of completion date from 6-25-42 to 12-25-42.

MISCELLANEOUS APPLICATIONS

KEJA—National Broadcasting Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—Modification of license to show use of station with Standard Station KPO San Francisco, Calif. only, and delete use with Station KGO.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment KEJA) on **31220, 35620, 37020, 39260 kc.,** 0.25 watts, A3 emission.

KEJK—National Broadcasting Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—Modification of license to show use of station with Standard Station KPO, San Francisco, Calif. only, and delete use with Station KGO.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment KEJK) on **31220, 35620, 37020, 39260 kc.,** 25 watts, A3 emission.

KEJI—National Broadcasting Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—Modification of license to show use of station with Standard Station KPO, San Francisco, Calif. only, and delete use with Station KGO.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment KEJI) on **31220, 35620, 37020, 39260 kc.,** 2 watts, A3 emission.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment KEJG) on **31220, 35620, 37020, 39260 kc.,** 0.25 watts, A3 emission.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment licensed to WEJO) on **31220, 35620, 37020, 39260 kc.,** 2 watts, A3 emission.

KWID—The Associated Broadcasters, Inc., San Francisco, Cal.—License to cover construction permit (B5-PIB-34) as modified, for a new international broadcast station.

WNYD—City of New York, Municipal Broadcasting System, Portable-Mobile, Area of New York, N. Y.—Reinstatement of construction permit (B1-PRY-238) for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 50 watts, A3 emission.

WNYG—City of New York, Municipal Broadcasting System, Portable-Mobile, Area of New York, N. Y.—Reinstatement of construction permit (B1-PRY-238) for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 50 watts, A3 emission.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for a new relay broadcast station using already licensed equipment (Licensed to WNJC) on **31220, 35620, 37020, 39260 kc.,** 0.25 watts, A3 emission.

WNJC—National Broadcasting Co., Inc., Portable-Mobile—Modification of license for change in area normally served by station from Chicago, Ill., to San Francisco, Calif., and change in station with which used from WENR and WMAQ, Chicago, Ill. to KPO, San Francisco, Calif.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (Licensed to WIEO) on **1606, 2074, 2102, 2758 kc.,** 50 watts, A1, A2, A3 emission.

WIEO—National Broadcasting Co., Inc., Portable-Mobile—Modification of license for change in area normally served by station from New York, N. Y. to San Francisco, Calif., and change in station with which to be used from WEAF and WJZ, New York, N. Y. to KPO, San Francisco, Calif.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.,** 25 watts, A3 emission.

NEW—National Broadcasting Co., KNBC Inc., Portable-Mobile, Area of San Francisco, Cal.—Modification of license to show use of station with Standard Station KPO San Francisco, Calif. only, and to delete use with Station KGO.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment licensed to KNBC) on **1606, 2074, 2102, 2758 kc.,** 100 watts, A3 emission.

KSFM—National Broadcasting Co., Portable-Mobile, Area of San Francisco, Cal.—Modification of license to show use with Standard Station KPO, San Francisco, Calif. only, and delete use with Station KGO.

NEW—Blue Network Co., Inc., Portable-Mobile, Area of San Francisco, Cal.—License for new relay broadcast station using already licensed equipment (equipment KSFM) on **1606, 2074, 2102, 2758 kc.,** 100 watts, A1, A2, A3 emission.

NEW—W. A. Patterson, Portable-Mobile, Area of Chattanooga, Tenn.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 35 watts, A-3 emission.

KWFR—Wichita Broadcasting Co., Portable-Mobile, Area of Wichita Falls, Texas.—License to cover construction permit (B3-PRY-273) which authorized a new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Jung Arch Brace Co., 109 West Central Parkway, Cincinnati, is charged, in a complaint, with misrepresentation in the sale of appliances, devices, and medicinal preparations advertised for use in treating ailments of the feet. (4767)

En-Ex Company—A complaint charging misrepresentation in the sale of a medicinal preparation designated "En-Ex" has been issued against Phillip Bartell, trading as The En-Ex Co. and The En-Ex Distributing Co., 614 Society for Savings Building, Cleveland. (4766)

Georgia Marble Finishing Works, Canton, Ga., is charged in a complaint with misrepresenting the enduring qualities of tombstones and monuments it manufactures. (4764)

La Vida Bottling Company, Inc.—Alleging misrepresentation in the sale of a mineral water advertised for medicinal use, a complaint has been issued against La Vida Bottling Co., Inc., Carbon Canyon, Placentia, Calif., and Paul G. Hausman, William N. Miller, and Alfred D. Mitchell, officers of the corporation. (4768)

Merchandise Company, Inc.—Misrepresentation in connection with the sale of tooth brushes is alleged in a complaint issued against New York Merchandise Co., Inc., 32 West 23rd St., New York. (4765)

New York Merchandise Co., Inc.—Misrepresentation in connection with the sale of tooth brushes is alleged in a complaint issued against New York Merchandise Co., Inc., 32 West 23rd St., New York. (4765)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bigelow-Sanford Carpet Co., Inc., 140 Madison Ave., New York, has been ordered to cease misleading representations in the sale of rugs. (4207)

S. Reiffe & Sons, Inc., trading as Fairmount Merchandise Co. and Crown Mail Order Co., 160 Monroe St., New York, have been ordered to cease misrepresentations in the sale by mail order of clothing for men and women. According to Commission findings, most of the respondent's products are old, worn and previously used, although it sells some new clothing.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Ar-Jay Laboratories, Inc., 304 East Sixth St., Ontario, Calif., stipulated that it will discontinue disseminating any advertisement of a coal tar hair dye designated "Ar-Jay Liquid Color Rinse" which does not reveal the material fact that there is potential danger in the use of the product by certain individuals. (02985)

Germo Mfg. Company—Germo Manufacturing Co., 112 South Main St., St. Louis, has entered into a stipulation to cease advertising that its drug preparation "Cholerine" promotes the health or vitality of poultry; normalizes the appetite of baby chicks; assures increased weight, more eggs or better profits; or improves the functioning of digestive organs of chicks by removal of mucus. The respondent also agrees to cease representing that Cholerine is a tonic and that it is indicated or is an effective treatment for such conditions or symptoms as lifeless or dull appearance of young chickens. (02986)

Miami Advertising Agency—Stipulations to cease certain representations in the sale of "Old Mohawk," a pharmaceutical preparation, have been accepted from Edgar S. Gebhart, trading as the Miami Advertising Agency, 1048 Redfern St., Dayton, Ohio, (3484); and from J. W. Daugherty, trading as Mohawk Medicine Co., and The Quaker Herb Co., trading as The Quaker Medicine Co., 220 George St., Cincinnati. (3485)

Joseph H. Trindl, Inc., and Trindl Products, Ltd., also trading as Dynamic Welder Co., and as Electro-Torch Co., 2227 Calumet Ave., Chicago, entered into a stipulation to cease and desist from certain representations in the sale of electric welding products designated "Dynamic Super-Charged Welder" and "3 in 1 Electric Torch." (3483)

FTC CASE CLOSED

The Federal Trade Commission closed the case growing out of its complaint charging James Bell Co., Inc., 36 Green St., Newark, N. J., with violation of the Federal Trade Commission Act in the sale and distribution of aluminum ware, enamel ware, radios and other merchandise. The Commission closed the case without prejudice to its right to resume proceedings, should future facts so warrant.

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1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 23, June 12, 1942

Sanders Hearings

Louis G. Caldwell, MBS counsel, appeared before the House Committee on Foreign and Interstate Commerce in connection with the hearings on the Sanders Bill (H. R. 5497). "The Communications Act does, in my opinion, have certain defects which call for amendment, both on the procedural and the substantive side," said Mr. Caldwell.

"* * * As for H. R. 5497, in my opinion, the bill proposes some changes in the law that are sound and should be eventually adopted. It contains others which, while too broad or too drastic in their present form, can probably be rephrased so as to be unobjectionable and perhaps desirable. It contains still others which I believe are either unnecessary or wholly unsound."

In conclusion he said:

"To summarize, while H. R. 5497 has several commendable features it goes too far in the direction of procedural red tape and unnecessary obstacles to the efficient and expeditious administration of the Act. It also ties this Commission down rigidly to one pattern of procedure when it may not only be not the best but may be substantially different from what you may decide to require of all federal administrative agencies."

The witness then proposed some additional amendments as follows:

"There are four suggestions I should like to add to the several proposals which have been made to you for amendment of the Communications Act.

"The list would be larger if we were not in a state of war. For example, I have always felt that Section 606 of the Act goes too far, at least in emergencies *short* of war, in permitting the shutting down or taking over of broadcasting stations for reasons not directly connected with imperative military need. I am afraid that someday it will prove to be the entering wedge for governmental operation of broadcasting stations. Yet, I realize it would be futile, and might be misunderstood, if any such proposal were urged at this time.

"*Amendment to Section 326.* My first, and by all odds most important proposal, is that Section 326, forbidding the Commission to exercise censorship of radio, be amended so as to carry out the original intent of Congress. There is no difficulty in ascertaining what that intent was, by reference to the debates in both the House and the Senate, including explicit explanations by Mr. White and Mr. Dill.

"For example, even before the section was inserted in the bill which became the Radio Act of 1927, Mr. White stated:

> 'The pending bill gives the Secretary no power of interfering with freedom of speech in any degree.'

"Thereupon ensued the following colloquy:

> 'Mr. LaGuardia. It is the belief of the gentleman and the intent of Congress in passing this bill not to give the Secretary any power whatever in that respect in considering a license or the revocation of a license.
>
> 'Mr. White of Maine. No power at all.'

"In the Senate, after a member of that body had suggested that the Commission might exercise censorship, Mr. Dill stated:

> 'I want to correct a statement which the Senator has made. . . . The bill does not give to the Commission the power to censor programs, but instead there is a provision in the bill which specifically prohibits the Commission from censoring programs in any way.'

Other references might be cited, but I think the foregoing are enough.

"By what to me is one of the strangest paradoxes in my legal experience, the statutory standard 'public interest, convenience or necessity' has turned out to be the Achilles' heel of the Act on the subject of freedom of speech and censorship of programs. Back in 1930 and 1931 the Commission began to assert rather regularly the power to refuse to grant a renewal of license if, in its opinion, the programs broadcast by the station in the past did not meet the standard 'public interest, convenience or necessity.' Stations were put off the air solely on this basis. Appeals were taken to the District Court of Appeals, where the Commission's power was confirmed, and the Supreme Court refused certiorari.

"Bear in mind that these cases did not involve programs violating any specific prohibition in the Act, such as obscene language or lottery information. They did involve rather vigorous, perhaps scurrilous speeches by the broadcaster against men in public office. To show how far the Commission thought it was entitled to go, it was said in one case, involving one Norman Baker of Iowa:

> 'Many of his utterances are vulgar, if not indeed indecent. Assuredly they are not uplifting or entertaining.
>
> 'Though we may not censor, it is our duty to see that broadcasting licenses do not afford mere personal organs, and also to see that a standard of refinement fitting our day and generation is maintained.'

"It is true that only in very few instances were stations actually closed down. In a number of others, they were spanked publicly in written decisions but were given renewals on assurances of future good behavior. The important thing, however, is not whether these particular individuals survived or were banished from the ether.

"The important thing is the effect on the whole industry, and on broadcasting as a means of mass communication. From the time when the Commission's power was confirmed by the courts, its pronouncements of views and policies on program matters had a magical effect. All it had to do was put out a release, even a speech by an individual commissioner, disapproving of a particular type of program, and most or all the stations henceforth avoided that type of program.

"The matter was carried a step further through the method by which complaints were handled. Large numbers of complaints against programs have poured into the Commission from listeners, crack-pots as well as others. In most cases, all the Commission had to do was to notify the station that a particular program had been the subject of complaint and demand that the station send in a transcript of the program and an explanation and the station saw the error of its ways. If this did not suffice, further conferences with the law department usually did. The threat of hearing and publicity was enough punishment to cause broadcasters to obey the views of the Commission (or just as frequently its law department) on what constitutes good programming.

"Matters progressed from one step to another until we arrived at an era where the Commission was just about to promulgate a set of standards on programs. Then occurred a series of dramatic incidents, such as the Mae West program, the action of the Commission in setting a large number of renewal applications for hearing because of the broadcasting of a network program 'Beyond the Horizon,' and the use of the word 'Flash' in the famous attack on New Jersey and other areas by the Men from Mars.

(Continued on page 316)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

SANDERS HEARINGS

(Continued from page 315)

There was also the matter of the International Broadcasting Regulations.

"This again is a subject on which I have written frequently and I must not yield to the temptation to try to tell you in too much detail. I will say that during the past two or three years the tendencies in this direction have diminished and at present seem almost non-existent, but the power is there. It should not exist, if the First Amendment is to mean anything in radio.

"This *ex post facto* censorship is about the most effective that can be devised by government. There are no rules or standards to which broadcasters can conform. Consequently, they must stay clear of the doubtful zone by a safe margin. It is not possible that this method of regulation be exercised uniformly or fairly as between stations, unless the Commission is to maintain a large staff doing nothing also but snooping on programs and copying down what they hear. Otherwise, disciplinary action is going to result only when an interested party, such as a competitor, brings the matter to a head.

"I therefore suggest that Section 326 of the Act be amended by adding thereto the following:

> 'No construction permit or station license shall be revoked, modified, or otherwise adversely affected by any action of the Commission, and no application for construction permit, station license, renewal, or modification of station license, or other instrument of authorization required or authorized by the Act shall be refused in whole or in part, because of the character or contents of any program or other communication transmitted or proposed to be transmitted by a radio station, unless such program or other communication contains matter expressly forbidden by specific provision of this Act or by regulation of the Commission authorized by this Act and then only after the licensee has been finally adjudged guilty by a Federal court of one or more violations of such provision or provisions and the offense is of so serious or repeated a nature as to show clearly that the licensee or applicant is not qualified in character to operate or to continue to operate a radio station.'

"The foregoing is taken from H. R. 8509, 76th Congress, 3rd Session, the bill introduced early in 1940 by Representative Ditter and the corresponding bill introduced by Senator Bailey.

"*Considerations on Renewal of Licenses.* I suggest that there be deleted from Section 307(d) of the Act the following language:

> 'but action of the Commission with reference to the granting of such application for the renewal of a license shall be limited to and governed by the same considerations and practice which affect the granting of original applications.'

"This sentence was not in the Radio Act of 1927, as originally enacted. It was inserted in the Communications Act of 1934 for no good reason. The idea of its sponsor apparently was that any new applicant for a radio station should stand upon exactly the same footing as a licensee who had been in the business for years and, in fact, the newcomer was almost to be preferred because he was a newcomer. This idea is so shocking to natural equity, I am sure it will find no defender. Its pernicious possibilities have not yet been explored, but some day they will be.

"The sentence has the further bad feature of forcing the Commission to be more drastic, and to bring about greater hardship, than it otherwise would on particular problems. Under the sentence, if the Commission is going to lay down a rule applicable to new stations, it must apply the same rule to applicants for renewal of licenses of existing stations. Suppose it should decide that henceforth it will not grant any person a second station in the same city. If it could restrict itself to future stations of this sort, I think no one would seriously complain. Indeed, I doubt whether anyone seriously questions the Commission's power to make such a rule, provided it is not retroactive. This sentence in Section 307(d), however, stands in the way.

"The same may prove true on the question of newspaper ownership of stations. I do not think the Commission has power to make newspaper owners ineligible for licenses. I hope I am right in this, but a lawyer must be reckless indeed to prophesy what the Supreme Court will hold these days. I know that if it develops that the Commission has the power, it would be far more just to make it applicable simply to future instances rather than to have it retroactive.

"*Term of Licenses.* Section 307(d) limits broadcasting licenses to three years and other radio licenses to five years. Until last fall, broadcasting licenses were limited by Commission regulation to one year. By its order of October 11, 1941, the period was increased to two years.

"In my judgment, there is no reason whatsoever for any time limitation on licenses any more than there is on certificates of convenience and necessity on railroad lines and extensions, or extensions of telephone or telegraph lines. The rights of the public are fully protected through the Commission's power to revoke licenses under Section 312(a), or to compel a modification of license under Section 312(b).

"The fixing of a maximum license period has had extremely unfortunate consequences, both as a matter of procedure and as a matter of substantive law. Back in 1928 and 1929 the license period was limited to three months, due to what I think was over-hasty legislation by Congress. In any event, the Commission never used the revocation procedure which was intended to cover all cases of discipline. Instead, it used the procedure attendant upon an application for renewal of license, in which the burden was at least partly upon the applicant, and the Commission was relieved, in part at least, of the necessity of charging and proving any offense. After some years of experience in this field, I feel confident in saying there is no procedure more susceptible to abuse, evasion of due process, and arbitrary and capricious conduct than that which accompanies hearing on applications for renewal of license. Traditional processes of law are turned into reverse gear.

"If you want a suggestion which, more than any other that can be made, will tend to eliminate arbitrary and capricious decisions, you will take whatever steps that are necessary to require that the Commission assume the burden of alleging and proving guilt, and relieve the licensee of the burden of proving innocence.

"This is really not a radical proposal when you compare it with the methods of regulation regularly employed by almost all administrative agencies. If, however, you are not willing to go this far, then I suggest at least a license period of very substantial duration, such as from 10 to 20 years, corresponding to many public utility franchises.

"*Revocation Procedure.* The present section on revocation of license, after providing that 'any license may be revoked' for certain causes, goes on to provide:

> '*Provided, however,* That no such order of revocation shall take effect until fifteen days' notice in writing thereof, stating the cause for the proposed revocation, has been given to the licensee. Such licensee may make written application to the Commission at any time within said fifteen days for a hearing upon such order, and upon the filing of such written application said order of revocation shall stand suspended until the conclusion of the hearing conducted under such rules as the Commission may prescribe. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of revocation.'

"This is a curiously worded provision. The Commission revokes first and hears afterwards. Thus, the respondent gets adverse publicity giving the impression that he has already been found guilty instead of being merely charged with guilt. Also, the provision is susceptible of the interpretation that the burden of proof is on the respondent.

"This may sound like a small thing and perhaps it is. It has had no great practical importance, since the Commission has so rarely used the revocation procedure and has usually employed proceedings based on applications for renewal of license for disciplinary purposes. Still I have heard it said that one reason the Commission has not employed the revocation method is that it is unduly harsh because of this very feature. Consequently, I recommend an amendment, to be worded somewhat as follows:

> 'Sec. 312. (a) Any station license may be revoked for false statements either in the application or in the statement of fact which may be required by section 308 hereof, or because of conditions revealed by such statements of fact as may be required from time to time which would warrant the Commission in refusing to grant a license on an original application, or for failure to operate substantially as set forth in the license, or for violation of or failure to observe any of the restrictions and conditions of this Act or of any regulation of the Commission authorized by this Act or by a treaty ratified by the United States; *Provided, however,* That no such order of revocation shall be entered unless the Commission shall first have given the licensee written notice stating clearly and definitely the charges against the licensee and fixing a time and place for a hearing thereon, and shall have given the licensee an opportunity for hearing. Such hearing shall be held not less than fifteen days after service of such notice on the licensee, and the Commission shall sustain the burden of proving the truth of the charges.'

The foregoing is, like my proposed amendment of Section 326, taken from the bill introduced by Mr. Ditter early in 1940.

Conclusion

"I have been intrigued by a thought suggested by counsel for Columbia earlier in these hearings. In answer to a question from a member of the Committee, he stated that the relationship between a broadcasting station and a network was exactly like that between a newspaper and a press association, such as Associated Press.

"Let us examine that thought. At present the *Washington Post* has an Associated Press franchise. It also receives the United Press service, the *New York Times* service, and perhaps others. There is nothing in its arrangements with any of them preventing it from taking the service of another service, or which requires it to use any news furnished by any one of them, or to assign any particularly important space in the newspaper to its material.

"Then let us apply an analogy drawn from the situation in broadcasting. I suggest it would be something like this: At the top of the front page would be 'The Associated Press' in large type, and underneath, in small type, would be '*The Washington Post*.' No other news from any other agency would be permitted. All but one or one-and-a-half columns on the front page would have to be devoted to the Associated Press material, with 'Associated Press' printed in large type over and over again, and the better positions in the rest of the paper would have to be treated likewise. In addition, the Associated Press would secure most of the national advertising using the *Washington Post* and insist that the advertising be placed immediately adjacent to its news.

"Of course, the analogy can be carried to the point of being absurd, and I do not mean to do so. The real point is that, instead of some 1800 or 1900 vigorous independent and competitive newspapers of this country, you would have three organizations in New York, controlling all of them and, through them, controlling most of what the public reads. They would have the power to kill off a competitor at birth. The economic prosperity or failure of every newspaper in the country would be for them to determine. Every advertiser would be at their mercy.

"Fortunately, as shown by the Commission's regulations, we can still meet the technical needs of network broadcasting for a reasonable amount of clearance against local obstacles without yielding to the importunity of those who would control it all. The way has been shown by the Commission's regulations. If you nullify these regulations you will be putting the Congressional seal of approval on one of the clearest possible cases of unreasonable restraint of trade, a restraint of trade that is vastly more harmful to the public interest than most restraints because it has to do with an agency of the mass-communication of intelligence."

Paul D. P. Spearman appeared before the Committee in behalf of Network Affiliates, Inc. Following are his conclusions:

"Summarized, we take the positions that:

"1. Class I-A stations should not be allowed through the use of more and more power to attempt to overcome the great distances from the listeners in whom they claim to be so deeply interested while maintaining their locations in the most densely populated metropolitan areas of the country, and far away from such listeners, while they take the cream of the business which advertisers do by radio;

"2. Class I-A stations should not be put in position to dominate the radio advertising business as these few would be able to do if their ambitions on the power question should be realized;

"3. Regional and local stations are too important, much too important, to the cities and areas they serve, and serve so well, to be sacrificed on the altar of super power;

"4. No small group of stations should be put in the powerful position the members of the Clear Channel Group would be in or be given the power they could wield in influencing public opinion or controlling public thought if permitted to operate with 500 kw. power or more, and they should not be placed in such position even if it should be admitted that this little group of nineteen licensees were not disposed to take advantage of it, human nature being what it is;

"5. Nothing should be done to disturb the present satisfactory service being rendered by local and regional stations, which means the Clear Channel Group should not be placed in position to take their network and spot advertising business or any appreciable part of it from them as the Class I-A stations surely would do to many of them if all of them are permitted to operate with 500 kw. power or more;

"6. Instead of permitting any stations to operate with 500 kw. power on the claim that they want to and would serve rural and remote listeners, they ought to be relocated as contemplated by Section 307 (b) of the Communications Act of 1934, as amended, so that the 'fair, efficient, and equitable distribution' referred to in that Section may first be tried out. In this connection, and without undertaking to defend the Commission, which would be presumptuous for me to undertake, it is but fair to say that applications to bring about this distribution must first be filed as the Commission is powerless to act in the absence of applications.

"7. The Congress should include in any new Act or amendment to existing law a specific limitation of 50 kw. as the maximum power with which any station would be permitted to operate. This would accomplish two things: First, it would settle the argument about power and super power, which, like Banquo's ghost, will not down, and Secondly, it would put the good faith of the Clear Channel Group to the test as those who were sincerely desirous of serving the rural and remote listeners could move and do so, and those who merely used the farmer and the other remote listeners as excuses in trying to secure authority to operate with more and more power could settle down to the business of serving their highly populous metropolitan areas, just as most of them do now."

FCC Chairman James Lawrence Fly was on the stand briefly Thursday morning and gave a general outline of the work of the Commission. It was his opinion that broadcasting should remain in status quo for the duration with everyone digging in with the materials on hand to do the best job possible to win the war. He stated that the most significant work being done today was that of policing the industry which required the energies of approximately one-half of the FCC staff and one-half of its appropriation to care for the activities of approximately 100 monitoring stations. He explained at length the operation of a typical monitoring station.

The Committee recessed to meet on Friday morning after which it will adjourn until Wednesday, June 17.

Petrillo Threatens Recordings

James C. Petrillo, president of the American Federation of Musicians, notified his convention in Dallas this week that A. F. of M. members would be ordered to stop making records and transcriptions, except for home consumption, on August 1.

"The next move is up to the record and transcription companies," Mr. Petrillo told the NAB after disclaiming that he was directing the move primarily against the entire broadcasting industry.

Juke-boxes and broadcasting stations which employ no musicians, he indicated, were his primary concern.

HAGGERTY AGAIN ACTIVE

John B. Haggerty, President of the International Allied Printing Trades Association, a consistent proponent of a punitive tax on radio has again become active. Mr. Haggerty has sent the following letter to all members of Congress and to various union organizations asking them to use their influence upon Congress:

"The pending Revenue Bill, as reported in the press, indicates that many millions of wage workers and small business persons, those least able to pay, will be forced to accept substantial reductions in their living standards in order to help pay for our winning of the war. These conditions will be accepted by all true Americans, without much complaint, so long as those who are known to be well able to pay are taxed proportionately.

"Surely, something is wrong when we find a small group, well able to pay, exempt, so far, from taxes which the House of Representatives, upon recommendations of the Ways and Means Committee, voted last year. The same is true when we find that the Treasury Department has, as yet, failed to propose this year taxes of many millions of dollars, which were proposed last year, on those which the Treasury Department, after a study, had reported 'possess unusual tax-paying ability which, in view of the Government's present requirements, could properly be subject to special taxation.'

"The Treasury Department report to the Ways and Means Committee, further stated: 'The case for a special tax on radio broadcasting distinct from a tax on advertising, one medium of which is radio, is supported by several considerations. * * * a franchise to operate a broadcasting station in any particular area carries with it a measure of monopolistic privilege and the opportunity for an extremely profitable investment. The principal operators in commercial broadcasting earn high rates of return on relatively small investments. They possess unusual tax-paying ability which, in view of the Government's present requirements, could properly be subject to special taxation. Radio broadcasting requires public regulation. Such regulation is provided at public expense, with great benefits to the industry, but without any special costs to that industry.'

"The undersigned, on behalf of some 200,000 highly skilled and organized workers, respectfully asks your consideration of the facts and your insistence that those who, as the Treasury Department report stated, 'possess unusual tax-paying ability, could properly be subject to special taxation', pay their proportionate share of the taxes to be imposed.

"We trust we will have your support and we will be able to report to our members in your District your favorable attitude toward our request."

Mr. Haggerty accompanies this letter with an exhibit showing the consolidated CBS income statement of May 1942. He then observes:

"The statement portrays the current radio networks net profits and merely illustrates the need for levying of substantial excise or franchise taxes, on these holders of governmental licenses free of any Government tax, if taxes are to be levied on ability to pay.

"This report indicates a net profit after payment of all taxes of some 684% on actual invested capital."

He concludes as follows:

"Reports of the Federal Communications Commission reveal that of the total net broadcasting revenues of the entire industry, in 1939, not less than 93% was received by the 154 stations which had a gross income of more than $150,000.

"Radio broadcasters secure entry into American homes through their dissemination of entertainment. All other purveyors of amusement are taxed on gross income. Radio broadcasters should not be exempt. Otherwise one disseminator of entertainment on a national scale unfairly escapes the payment of taxes payable by its competitors."

"Reports of the Federal Communications Commission show that the net profits of the two major networks, namely, National Broadcasting Company and the Columbia Broadcasting System amounted to $59,509,349 for the years 1931-1940 inclusive. These figures are taken from the Federal Communications Commission Monopoly Investigating Committee's report, Volume 1 and 2, and reports of the Federal Communications Commission for the years 1939 and 1940. These net profits of $59,509,349 for the ten year period yielded an average annual net profit for these two companies alone of $5,950,934. The total combined investment in these two companies, on which these unusual earnings were made, was $4,614,694. The average annual net profits, after deduction of all operating costs, payment of Federal income and all other taxes, and including depreciation of $10,182,021, were therefore some 129 percent.

"It should be added that the net profits for the years of 1936-1940 inclusive were much greater than those for the years of 1931-1935 inclusive. National Broadcasting Company and Columbia combined net profits increased from a total of $19,017,613 in the first half of the ten year period to $40,491,736 during the second half of the ten year period, an increase for the years 1936-1940 of 213 percent over the profits for the five year period 1931-1935 inclusive."

Supreme Court Rules On Overtime Pay

The Supreme Court ruled Monday that the Wage and Hour Act requirement of time-and-a-half payment for overtime beyond 40 hours a week meant 150% of an employee's regular pay rate, not 150% of the Act's minimum pay provisions.

In another case the court, in a 5-4 decision, upheld a system by which an employer contracted to pay his employees a fixed sum each week, the amount being designed to cover overtime at the statutory time-and-a-half rate but the fixed sum would be paid for either a regular or an overtime week. Mr. Justice Byrnes wrote the majority opinion.

The court ruled on the meaning of "regular rate of pay". The weekly wage divided by hours equals regular rate. Time-and-half regular rate for hours employed beyond statutory maximum equals compensation for overtime hours. This formula applies to those salaried employees who work a regular number of hours each week and to those whose work week varies each week.

The decisions, interpreting the law's overtime pay provisions for the first time, were made in two cases which may be summarized as follows:

1. The Overnight Motor Transportation Co. of Baltimore employed William H. Missel at $27.50 a week. His hours were variable but he averaged 65 a week and sometimes worked 80. The law then fixed 25 cents an hour as the minimum wage and Missel got nothing extra for overtime because the company contended it already was paying him more than required, figuring 40 hours at 25 cents, or $10, plus 40 more at 37½ cents, or $15, totaling $25.

Under the court's ruling, however, Missel's regular pay was $27.50 for 40 hours. Since this came to about 68 cents an hour, he would be entitled to pay at the rate of $1.02 an hour for hours beyond 40. The court upheld Missel's right to claim damages equal to the overtime pay even though the employer acted in good faith.

2. The A. H. Belo Corporation, publisher of the Dallas (Tex.) Morning News and owner of radio station WFAA, contracted with its employees when the wage-hour law took effect to continue paying them their existing salaries for their existing hours. The contracts stipulated an hourly rate, obtained in most cases by dividing the guaranteed weekly salary by 60.

Thus if a man's salary was $60 a week his regular hourly rate would be $1 and his overtime rate $1.50. If he worked 40 hours he would get the full $60 but he might be required to work up to 53 hours for the same pay, since 40 hours at $1 and 13 at $1.50 would come to only $59.50. But if he worked 54 hours or more he would get more than $60.

The type of contract ruled upon, illustrated with the above figures, would read as follows:

In order to conform our employment arrangements to the scheme of the Wage and Hour Act without reducing the amount of money which you receive each week, we advise that from and after —, 1942, your basic rate of pay will be $1.00 per hour for the first 40 hours each week, and that for time over 40 hours each week you will receive for each hour of work not less than time-and-a-half time such basic rate above-mentioned, with a guaranty on our part that you shall receive weekly, for regular time and such overtime as the necessities of the business may demand, a sum not less than $60. We print the opinions in full below:

No. 622.—October Term, 1941.

L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, Petitioner,
vs.
A. H. Belo Corporation.

On Writ of Certiorari to The United States Circuit Court of Appeals for the Fifth Circuit.

[June 8, 1942.]

Mr. Justice Byrnes delivered the opinion of the Court.

This is a proceeding by the Administrator of the Wage and Hour Division of the Department of Labor to restrain the respondent corporation from alleged violation of the Fair Labor Standards Act.[1] The Administrator sought to prevent the use by respondent under certain contracts with its employees of wage agreements deemed by the Administrator violative of the time and a half for overtime provisions of section 7(a)[2] as implemented by section 15(a)(1) and (2).[3]

The respondent, a Texas corporation, is the publisher of the Dallas *Morning News* and other periodicals, and the owner and operator of radio station WFAA. It has some 600 employees. Those in the mechanical departments work under a collective bargaining agreement and are not affected by the Fair Labor Standards Act. The others, and particularly those in the newspaper business, work irregular hours. Prior to the effective date of the Act, October 24, 1938, respondent had been paying all but two or three of these employees more than the minimum wage required by the Act. They received vacations of approximately two weeks each year at full pay; special bonuses at the end of the year amounting to approximately one week's earnings; and full pay during periods of illness, sometimes continuing for weeks and sometimes for months. At the time of the trial 28 superannuated employees were carried on the payroll at full rates of pay. Employees were permitted absences to attend to personal affairs without deductions from pay. When they were required to work long hours in any week, they were given compensating time off in succeeding weeks. Life insurance was carried for them at respondent's expense.

After the enactment of the Fair Labor Standards Act but before its effective date, respondent endeavored to adjust its compensation system to meet the requirements of the Act by negotiating a contract with each of its employees except those in the mechanical departments. These contracts were in the form of letters stating terms which were agreed to by the employees. The following is a typical letter:

> "The Fair Labor Standards Act which goes into effect on October 24, 1938, provides for the following minimum wages and maximum hours of employment:
>
> "First year—25¢ per hour minimum
> 44 hours maximum per week
> "Second year—30¢ per hour minimum
> 42 hours maximum per week
> "Third year—40¢ per hour minimum[4]
> 40 hours maximum per week
>
> except that employees may work more than the number of hours specified above, provided that overtime rates shall be a minimum of one and one-half times the basic rate.
>
> "In order to conform our employment arrangements to the scheme of the Act without reducing the amount of money which you receive each week, we advise that from and after October 24, 1938, your basic rate of pay will be . . . 67 . . . cents per hour for the first forty-four hours each week, and that for time over forty-four hours each week you will receive for each hour of work not less than one and one-half time such basic rate above mentioned, with a guaranty on our part that you shall receive weekly, for regular time and for such overtime as the necessities of the business may demand, a sum not less than . . . $40 . . . ."

In most cases, as in this example, the specified hourly rate was fixed at 1/60th of the guaranteed weekly wage. The result was that during the first year under the Act when the statutory maximum of regular hours was 44, the employee was required to work 54½ hours before he became entitled to any pay in addition to the weekly guaranty.[5] When the employee worked enough hours at the contract rate to earn more than the guaranty, the surplus time was paid for at the rate of 150% of the hourly contract wage. If the employee received an increase in pay, the hourly rate and weekly rate were readjusted.

For eighteen months the system embodied in these contracts was followed to the apparent satisfaction of employer and employees. Respondent was then advised that the arrangement was in violation of the Act and that it was liable to its employees in an amount of from 30 to 60 thousand dollars. It was informed by the regional director in Dallas and by an official in the Administrator's office in Washington that an employee's complaint had precipitated the investigation. These officials declined to give the name of the employee.

Respondent thereupon brought suit for a declaratory judgment in the District Court for the Northern District of Texas joining the regional director and three of its employees as defendants. The defendant employees answered that they and all the other employees affected by the system approved of it. The regional director moved to dismiss on two grounds, one of which was that he represented none of the employees. The motion to dismiss was denied. 35 F. Supp. 430. In the meantime petitioner instituted this suit to enjoin respondent from continuing to operate the wage system based upon its contracts with its employees. The two suits were consolidated and tried together. The District Court entered a declaratory judgment for the respondent and dismissed the bill for an injunction. 36 F. Supp. 907.

Petitioner appealed to the Circuit Court of Appeals from the dismissal of its complaint. That Court affirmed the judgment of the District Court. 121 F. 2d 207. It found that the contracts were "actual bona fide contracts of employment" and that "they were intended to, and did, really fix the regular rates at which each employee was employed." We granted certiorari because of the importance of the question in the administration of the Act. — U. S. —.

It is no doubt true, as petitioner contends, that the purpose of respondent's arrangement with its employees was to permit as far as possible the payment of the same total weekly wage after the Act as before. But nothing in the Act bars an employer from contracting with his employees to pay them the same wages that they received previously, so long as the new rate equals or exceeds the minimum required by the Act.[6]

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[1] Enforcement of the requirements of the Act by injunction is authorized by section 17. "The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of section 20 (relating to notice to opposite party) of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U. S. C., 1934 edition, title 28, sec. 381), to restrain violations of section 15." 52 Stat. 1069; 29 U. S. C. § 217.

[2] "Sec. 7. (a) No employer shall, except as otherwise provided in this section, employ any of his employees who is engaged in commerce or in the production of goods for commerce—

(1) for a workweek longer than forty-four hours during the first year from the effective date of this section,

(2) for a workweek longer than forty-two hours the second year from such date, or

(3) for a workweek longer than forty hours after the expiration of the second year from such date,

unless such employee receives compensation for his employment in excess of the hours specified at a rate not less than one and one-half times the regular rate at which he is employed." 52 Stat. 1063; 29 U. S. C. § 207.

[3] "Sec. 15. (a) After the expiration of one hundred and twenty days from the date of enactment of this Act, it shall be unlawful for any person—

(1) to transport, offer for transportation, ship, deliver, or sell in commerce, or to ship, deliver, or sell with knowledge that shipment or delivery or sale thereof in commerce is intended, any goods in the production of which any employee was employed in violation of section 6 or section 7, or in violation of any regulation or order of the Administrator issued under section 14 except that no provision of this Act shall impose any liability upon any common carrier for the transportation in commerce in the regular course of its business of any goods not produced by such common carrier, and no provision of this Act shall excuse any common carrier from its obligation to accept any goods for transportation;

(2) to violate any of the provisions of section 6 or section 7, or any of the provisions of any regulation or order of the Administrator issued under section 14; . . . ." 52 Stat. 1068; 29 U. S. C. § 215.

[4] In later letters this misstatement, immaterial here, was corrected. The minimum wage for the first 40 hours remains 30 cents until October 24, 1945. See § 6 of the Act.

[5] 44 hours at 67 cents equals $29.48; 10⅔ hours at the statutory minimum overtime rate of $1.00 (150% × $.67) equals $10.67; $29.48 plus $10.67 equals $40.15.

The Act requires that for each hour of work beyond the statutory maximum the employees must be paid "not less than one and one-half times the regular rate at which he is employed." This case turns upon the meaning of the words "the regular rate at which he is employed." Respondent contends that the regular rate under the illustrative contract, which is set out above and to which we shall refer throughout, is 67 cents an hour. Petitioner argues, however, that the 67 cents hourly rate mentioned in the contract is meaningless and that the agreement is in effect for a weekly salary of $40 without regard to fluctuations in the number of hours worked each week. Treating the contract as one for a fixed weekly salary, he urges that the regular hourly rate for any single week is the quotient of the $40 guaranty divided by the number of hours actually worked in that week.[7] Under this formula the employee is entitled to the regular hourly rate thus determined for the first 44 hours[8] each week and to not less than one and one-half times that rate for each hour thereafter.

In its initial stage the question to which this dispute gives rise is a question of law, a question of interpretation of the statutory term "regular rate". But it is agreed that as a matter of law employer and employee may establish the "regular rate" by contract. In the case before us such an effort has been made, and in the example given the regular rate has been specified as 67 cents an hour. The difficulty arises from the inclusion of the $40 guaranty. The problem is whether the intention of the parties to set 67 cents an hour as the regular rate squares with their intention to guarantee a weekly income of $40. The Administrator's position is that these two objectives are inherently inconsistent and that the intention to fix the regular hourly rate at 67 cents is overridden by the intention to guarantee the $40 per week.

We cannot agree. In the first place, when an employee works more than 54½ hours in a single week, he is admittedly entitled to more than the $40 guarantee. The record shows that in such a case, the employee is paid at the rate of $1.00 an hour (150% × $.67) for each hour of overtime. In this situation, then, it is clearly the guaranty that becomes inoperative and the 67 cent hourly rate fixed by the contract that is controlling.

In the second place, although it is perfectly true that when the employee works less than 54½ hours during the week his pay is determined by the $40 guaranty, it does not dispose of the problem simply to say this. The question remains whether the $40 contemplates compensation for overtime as well as basic pay. The contract says that the employee is to receive 67 cents an hour for the first 44 hours and "*not less than* one and one-half time such basic rate" for each hour over 44. (Consequently, if an employee works 50 hours in a given week, it might reasonably be said that his $40 wage consists of $29.48 for the first 44 hours (44 × $.67) plus $10.52 for the remaining six hours (6 × $1.753). To be sure, $1.753 is more than 150% of $.67 But the Act does not prohibit paying more; it requires only that the overtime rate be "not less than" 150% of the basic rate. It is also true that under this formula the overtime rate per hour may vary from week to week. But nothing in the Act forbids such fluctuation.

The gist of the Administrator's objection to this interpretation is that both the basic rate and the overtime rate are so "artificial" that the parties to the contract cannot fairly be supposed to have intended that it be so construed. It cannot be denied that the flexibility of the overtime rate is considerable, but this flexibility may well have been intended if it was the only means of securing uniformity in weekly income. Moreover, under the Administrator's interpretation, the regular rate in the example given is $40 divided by the number of hours worked each week. Since the number of hours worked fluctuates so drastically from week to week, this "regular" rate is certainly "irregular" in a mathematical sense. And inasmuch as it cannot be calculated until after the work week has been completed, it is difficult to say that it is "regular" in the sense that either employer or employee knows what it is or can plan on the basis of it.

The artificiality of the method urged by the Administrator is accentuated by the nature of his counter-proposal of two plans by which the weekly wage of an employee whose hours vary from week to week may be stabilized. One of these officially approved plans is known as the "time-off plan" and is explained in Interpretative Bulletin No. 4. Under this plan the employment must be placed upon an hourly rate basis with no mention of a guaranty. The pay days must be spaced at intervals of two weeks or longer. If the pay period is set at two weeks and the employee is required to work overtime during the first week, he is given sufficient time off during the second week to keep his paycheck at a constant level. In our view this counter-proposal far exceeds in technicality the plan adopted by respondent. Moreover its operation is to provide a ceiling but not a floor for the wage. Since the pay is by the hour and there is no guaranty, in a pay period in which an employee works few hours, his wage may fall far below the level aimed at.

The other officially approved arrangement is known as the "prepayment plan", and is also explained in Bulletin No. 4. Under this plan virtually the same arrangement as that which we have been using as an example can stand. That is to say, an employee may be promised 67 cents an hour for the first 44 hours, $1.00 for each hour over 44,[9] with a guaranty of $40 a week. However, in any week in which the employee's earnings at the stated hourly rates do not equal the $40 guaranty, the balance necessary to fulfill the guaranty must be treated as a loan to him. If in any succeeding week his earnings at the stated hourly rates exceed the guaranty, the excess is withheld by the employer as a repayment of the loan. But if his earnings do not exceed the guaranty in any succeeding week, and after receiving his pay check he does not return to work, the employer is presumed to make an effort to collect the excess amount paid to the employee in a previous week. If the employer does not recover this excess amount, then for all practical purposes the plan operates just as does the plan, followed by the respondent in this case. About the only difference is that one is called a "guaranty plan" while the other is called a "pre-payment plan". In the opinion of the Administrator, the "pre-payment plan" is lawful; the "guaranty plan" is unlawful.

But the guaranty contract in this case carries out the intention of the Congress. It specifies a basic hourly rate of pay and not less than time and a half that rate for every hour of overtime work beyond the maximum hours fixed by the Act. It is entirely unlike the *Missel* case, decided this day. In the contract in that case there is no stated hourly wage and no provision for overtime. Under the decision in that case an employer who engages a worker for a fixed weekly wage of $40 for irregular hours and works him 65 hours (in a year when the maximum workweek is 44 hours), owes the employee $46.38. See *Missel* case. For the same hours under the Belo contract, at the hourly contract rate of 67 cents, the worker would receive $50.48. There is a difference in compensation, but that is the agreement of the parties and it is within the letter and the intention of the law.

The problem presented by this case is difficult—difficult because we are asked to provide a rigid definition of "regular rate" when Congress has failed to provide one. Presumably Congress refrained from attempting such a definition because the employment relationships to which the Act would apply were so various and unpredictable. And that which it was unwise for Congress to do, this Court should not do. When employer and employees have agreed upon an arrangement which has proven mutually satisfactory, we should not upset it and approve an inflexible and artificial interpretation of the Act which finds no support in its text and which as a practical matter eliminates the possibility of steady income to employees with irregular hours. Where the question is as close as this one, it is well to follow the Congressional lead and to afford the fullest possible scope to agreements among the individuals who are actually affected. This policy is based upon a common sense recognition of the special problems confronting employer and employee in businesses where the work hours fluctuate from week to week and from day to day. Many such employees value the security of a regular weekly income. They want to operate on a family budget, to make commitments for payments on homes and automobiles and insurance. Congress has said nothing to prevent this desirable objective. This Court should not.

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[6] Section 19 provides: "No provision of this Act shall justify any employer in reducing a wage paid by him which is in excess of the applicable minimum wage under this Act, or justify any employer in increasing hours of employment maintained by him which are shorter than the maximum hours applicable under this Act." Whatever the legal effect of this language, it is certainly not a prohibition and the Administrator does not rely upon it. The finding of the Circuit Court of Appeals that respondent's effort to maintain the weekly incomes of its employees at their pre-Act level was in good faith gains support from the circumstance that at the very time when respondent was formulating its new wage policy the Wage and Hour Administrator declared:

"Clerical forces, we all feel, are included in the Act. But I cannot see where there is going to be any practical difficulty there because your clerical force in any plant of any consequence certainly is earning on a basis of more than 25 cents an hour weekly wages divided by the hours they work. If they are well above 25 cents an hour, it seems to me that there would not be much question about time and a half for overtime, because you could figure in that weekly wage that time and a half over the 44 hours had been given consideration as remuneration for their full week's pay."

Speech before the Southern States Industrial Council at Birmingham, Alabama, on September 29, 1938. 3 Wage and Hour Reporter 228.

[7] This has been the Administrator's interpretation of the Act, as set forth in Interpretative Bulletin No. 4, issued October 21, 1938, and revised in November, 1940.

[8] For the first year after passage of the Act; now 40 hours.

[9] It should be noted that respondent's contract, set out above, does not fix $1.00 as the hourly rate for overtime. Instead it provides that the overtime rate shall be "not less than one and one-half" times 67 cents.

Affirmed.

Mr. Justice Reed, *dissenting.*

The Court holds, "When employer and employees have agreed upon an arrangement which has proven mutually satisfactory, we should not upset it and approve an inflexible and artificial interpretation of the Act which finds no support in its text and which as a practical matter eliminates the possibility of steady income to employees with irregular hours." Yet it is recognized by the Court that the validity of the contract "turns upon the meaning of the words 'the regular rate at which he is employed,'" the phrase left undefined by Congress, which it is said the courts also should leave undefined and flexible. Not only does the Court's conclusion assume that the typical Belo contract conforms to the Fair Labor Standards Act by the provision for hourly wages and time and a half for overtime, but in the opinion just announced, the Court approves this type contract for hiring "so long as the new rate equals or exceeds the minimum required by the Act." In so deciding the Court gives the phrase "regular rate" an interpretation as inflexible and artificial as that which it condemns.

The Court's interpretation that, in the absence of bad faith, any form of contract which assures the payment of the minimum wage and the required overtime complies with the Act may be assumed to be correct. But since the overtime hours must be compensated "at a rate not less than one and one-half times the regular rate at which he is employed" (Sec. 7(a)(3)), the regular rate cannot be left without "definition", "flexible" or unfound for this case. And once so found, it must be applied to the circumstances of this litigation. No all inclusive definition will be attempted. The possibilities of variation in contracts are too great. Certainly, however, the Court does not mean to say that the employer and employee may capriciously select a certain figure, unrelated to the wages paid, and say "That is the regular rate of employment." Every contract of employment is assumed, by the statute, to contain a "regular rate," and for each contract it is a legal, not a factual, conclusion. What that rate is here is the object of our inquiry. Once determined for this case, that conclusion becomes a precedent for other similar contracts and so in one sense, whether we wish it or not, a definition to be applied in the administration of the Act.

This Court accepts the view that the Fair Labor Standards Act was intended not only to put a floor under wages but also a ceiling over hours. The limitation of hours in turn had two purposes—the spreading of work and extra compensation for overtime, no matter how high the regular wage may be. *Overnight Motor Transportation Co.* v. *Missel,* No. 939, October Term 1941, decided June 8, 1942, slip opinion page 4. Since overtime pay must at least equal time and a half the regular rate, as section 7(a) specifies, employers and employees may not be permitted to contract in avoidance of the statutory requirement. Contracts for a regular rate per hour conform easily to the requirements but contracts for compensation in other forms compel an analysis of their terms to find the regular rate. Fixed salaries, as this Court agrees today in *Missel's* case, are to be reduced to hourly rates on the basis of a week as the unit of time. Belo's contract contains elements both of hourly wage and fixed weekly wage contracts. We come then to this point Are the contracts here involved for weekly wages with variable hours or for hourly rates with time and a half of such rates for overtime? If the latter, respondent contends the Act has left him free to contract with his employees at such hourly regular rates as may be agreed upon, limited only by the minimum wage requirements. As a court, we must appraise the nature of these contracts and in my judgment they are agreements for weekly wages for variable hours, with a provision for additional compensation per hour contingent upon work in excess of an ascertainable number of hours—the number of hours of work required for the wages earned under the hourly wage terms of the contract to equal the guaranty.[1] Until these hours are exceeded, the stipulated wage per hour has no demonstrable effect.

The contracts stated they were drawn to comply with the "scheme of the Act without reducing" weekly wages. The hourly rate was customarily written as one-sixtieth of the weekly wages. The overtime above the maximum hours was set at 150% of the hourly wage or one-fortieth of the weekly. This was then followed by a guaranty that the employee should "receive weekly," for regular and overtime, the former weekly wage. This guaranty was the dominating feature of the contract. Without the guaranty, the adoption of a low hourly rate would encounter the full weight of employee bargaining power. The guaranty avoids this conflict by fixing the minimum weekly wage. This guaranty controls the weekly wage up to 54½ hours of work, the number of hours contracted for by Belo without paying more than the fixed weekly wage. In a 54½ hour week or less the regular rate should be the guaranty divided by the hours actually worked.

It seems obvious that the guaranty was the heart of the arrangement. The effect of the contract in the illustrative case is to pay 73 cents an hour for work up to 54½ hours and $1.00 (expressed in the circumlocution of time and a half 67 cents) for overtime beyond those hours, with a guaranty that there will be $40 worth of work each week. The "basic" hourly rate, the hours contracted for at the basic rate and the stated percentage paid for overtime may be varied without effect on earnings provided the guaranty and real overtime rate are kept fixed.[2]

The employee willing, the number of hours which must be worked to earn the guaranty can be increased by suitable adjustment of the contract figures of hourly rate, hours contracted and overtime percentages. By such a verbal device, astute management may avoid many of the disadvantages of ordinary overtime, chief of which is a definite increase in the cost of labor as soon as the hours worked exceed the statutory workweek. If the intention of Congress is to require at least time and a half for overtime work beyond a fixed maximum number of hours (40, 42 or 44 hours), that intention is frustrated by today's holding. Under *Missel's* case, an employer who engages a worker for a fixed weekly wage of $40 for irregular hours and works him 54½ hours a week in a year with a 44 hour maximum, owes $43.86. Under the Belo contract, the worker would receive $40. Because there is no increase of labor cost between the statutory maximum and the hours contracted for (54½), the employer has a financial inducement to require hours beyond the statutory maximum.

As pointed out above, this contract is not only an agreement to pay a fixed wage, $40.00, for variable hours up to 54½, but there is a provision for additional compensation for the hours over the contract maximum. Where the hours worked exceed the number necessary to entitle the employee to hourly pay under the contract, equal in the aggregate to the guaranty, the employee is entitled to receive his regular rate for the statutory maximum hours and 150% of that rate for all overtime. The contracts in most instances fixed the basic rate at one-sixtieth of the guaranty, but the effect of the guaranty, in our view, is to make the regular rate of employment for the precise number of hours necessary under the contract to earn the guaranty, the quotient of the guaranty divided by the hours.[3] For the surplus hours over 54½ the same regular rate continues to be applicable.[4]

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[1] Cf. Carleton Screw Products Co. *v.* Fleming, 126 F. 2d 537.

[2] An example will illustrate the lack of significance of the other numbers in the contract. Varying rates, hours and overtime percentages are substituted for those in the Belo contract quoted in the Court's opinion. "In order to conform our employment arrangements to the scheme of the Act without reducing the amount of money which you receive each week, we advise that from and after October 24, 1938, your basic rate of pay will be [50] cents per hour for the first [29] hours each week, and that for time over [29] hours each week you will receive for each hour of work not less than [double] time such basic rate above mentioned, with a guaranty on our part that you shall receive weekly, for regular time and for such overtime as the necessities of the business may demand, a sum not less than $40.00."

> 29 hours × $.50 = $14.50. 54.5 hours — 29 hours = 25.5 hours at $1.00 per hour = $25.50. Time plus overtime = $40.00. Thereafter the employee receives $1.00 per hour.

The same is true of a basic rate of $.60 for 36¼ hours and time and two-thirds thereafter, with a guaranty of $40.

It is the guaranty which gives character to these contracts, which determines the amount to be received by the employee under its terms, except in the instances of work beyond 54½ hours. It is only work beyond the 54½ hours which calls for extra pay from the employer. Consequently it seems proper to find the regular rate of employment by using the guarantee as the dividend and the maximum hours possible without increased contract pay as the divisor. The objection that this permits statutory overtime pay to be computed on contract overtime pay springs from the wording of the contract making the guarantee cover overtime up to the 54½ hours. This objection loses its force with the determination that the guaranty fixes the quality of the contract, rather than the so-called basic or hourly rate of pay.

The judgment of the Circuit Court of Appeals should be reversed and this action remanded to the District Court for further proceedings.

Mr. Justice Black, Mr. Justice Douglas and Mr. Justice Murphy join in this dissent.

No. 939—October Term, 1941

Overnight Motor Transportation Company, Inc., Petitioner,
vs.
William H. Missel.

On Writ of Certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

[June 8, 1942.]

Mr. Justice Reed delivered the opinion of the Court.

This case involves the application of the overtime section of the Fair Labor Standards Act of 1938 [2] to an employee working irregular hours for a fixed weekly wage.

Respondent, Missel, was an employee of the petitioner, Overnight Motor Transportation Company, a corporation engaged in interstate motor transportation as a common carrier. He acted as rate clerk and performed other incidental duties, none of which were connected with safety of operation. The work for which he was employed involved wide fluctuations in the time required to complete his duties. The employment of respondent began before the effective date of the Fair Labor Standards Act, October 24, 1938, and terminated October 19, 1940. Until November 1, 1938, his salary was $25.50 per week and thereafter $27.50. Time records are available for only a third of the critical period, and these show an average work week of 65 hours, with a maximum of 80 for each of two weeks in the first year of the Act's operation and a maximum of 75 hours in each of three weeks in the second year. Nothing above the weekly wage was paid, because these maximum workweeks, computed at the statutory minimum rates with time and a half for overtime for the years in question, would not require an addition to the weekly wage.

Respondent brought a statutory action to recover alleged unpaid overtime compensation in such sum as might be found due him, an additional equal amount as liquidated damages, and counsel fee.[2] The trial court, refusing to hear evidence on the precise amount claimed, decided in favor of the petitioner on the ground that an agreement for a fixed weekly wage for irregular hours satisfied the requirements of the Act. Under such circumstances the court was of the view that pay would be adequate which amounted to the required minimum for the regular hours and time and a half the minimum for overtime. 40 F. Supp. 174. The Circuit Court of Appeals reversed with directions to enter judgment for the plaintiff in accordance with its opinion, an order which we interpret as authorizing a hearing in the trial court as to the amounts due. 126 F. 2d 98. As the questions involved were important in the administration of the Fair Labor Standards Act, we granted certiorari. — U. S. —.

Petitioner renews here its contentions that the private right to contract for a fixed weekly wage with employees in commerce is restricted only by the requirement that the wages paid should comply with the minimum wage schedule of the Fair Labor Standards Act, section 6, with overtime pay at time and a half that minimum, that in any event the Act does not preclude lump sum salaries in excess of the minimum, and that a contrary interpretation of the statute would render it unconstitutional.

It is plain that the respondent as a transportation worker was engaged in commerce within the meaning of the Act,[3] and unless specifically exempted was entitled to whatever benefits the overtime provisions conferred.

While now conceding that *United States* v. *Darby,* 312 U. S. 100, settles the constitutional power of Congress to legislate against labor conditions detrimental to a minimum standard of living required for the general well-being of workers, petitioner argues that there is no power under the Constitution to regulate the hours or wages of workers whose pay, in every instance, at least equals the minimum and whose hours are not injurious to health. Freedom of contract between employer and employee, it is urged, is destroyed by such an interpretation.[4] But hours or wages not patently burdensome to health may yet be subject to regulation to achieve other purposes. We assume here the statutory objectives discussed later, i. e., that the act is aimed at hours as well as wages. The commerce power is plenary,[5] may deal with activities in connection with production for commerce [6] and as said in the *Darby case,* may extend "to those activities intrastate which so affect interstate commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end, the exercise of the granted power of Congress to regulate interstate commerce." P. 118. Long hours may impede the free interstate flow of commodities by creating friction between production areas with different length workweeks, by offering opportunities for unfair competition through undue extension of hours, and by inducing labor discontent apt to lead to interference with commerce through interruption of work. Overtime pay probably will not solve all problems of overtime work, but Congress may properly use it to lessen

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[3] Weekly guaranty—$40. Hours worked—54⅔. Straight hourly contract wage—$40÷60=$.66⅔. Straight contract hours—44. 44×$.66⅔=$29.33⅓. Overtime hourly contract wage—$1.00. Overtime contract hours—10⅔. 10⅔×$1=$10.66⅔. Total contract wage paid—$40. Statutory regular rate—40÷54⅔=$.732 per hour. Statutory maximum hours—44. 44×$.732=$32.20. Statutory overtime rate—$1.098. Statutory overtime hours=10⅔. 10⅔×$1.098=$11.71. Total required compensation—$43.91.

[4] Hours worked—60. Statutory maximum hours—44. Regular rate—$.732. 44×$.732=$32.20. Statutory overtime hours—16. Overtime rate—$1.098. 16×$1.098=$17.57. Total required compensation—$49.77.

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[1] "Sec. 7. (a) No employer shall, except as otherwise provided in this section, employ any of his employees who is engaged in commerce or in the production of goods for commerce—

(1) for a workweek longer than forty-four hours during the first year from the effective date of this section.

(2) for a workweek longer than forty-two hours during the second year from such date, or

(3) for a workweek longer than forty hours after the expiration of the second year from such date,

unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed." 52 Stat. 1063; 29 U. S. C. § 207.

[2] "Sec. 16. . . .

"(b) Any employer who violates the provisions of section 6 or section 7 of this Act shall be liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages. Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated, or such employee or employees may designate an agent or representative to maintain such action for and in behalf of all employees similarly situated. The court in such action shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action." 52 Stat. 1069, 29 U. S. C. § 216.

[3] "Sec. 3. As used in this Act—

. . . .

(b) 'Commerce' means trade, commerce, transportation, transmission, or communication among the several States or from any State to any place outside thereof." 52 Stat. 1060, 29 U. S. C. § 203.

[4] "It is Petitioner's contention that though the constitutionality is clearly settled as to the question of correcting 'sub-standard labor conditions', a construction of the Act which has no relationship whatsoever to 'sub-standard labor conditions' would nonetheless be unconstitutional, for the potentiality of such a construction is to destroy freedom of contract between employer and employee."

[5] Labor Board *v.* Jones & Laughlin Steel Corp., 301 U. S. 1, 37.

[6] Santa Cruz Co. *v.* Labor Board, 303 U. S. 453, 464.

the irritations. Substandard labor conditions were deemed by Congress to be "injurious to the commerce and to the states from and to which the commerce flows." *United States* v. *Darby,* 312 U. S. 100, 115. To protect that commerce from the consequences of production of goods under substandard conditions, it may choose means reasonably adapted to those ends, including regulation of intrastate activities, p. 121, by minimum wage and maximum hour requirements, p. 123. Compare *Santa Cruz Co.* v. *Labor Board,* 303 U. S. 453, 466. If overtime pay may have this effect upon commerce, private contracts made before or after the passage of legislation regulating overtime cannot take the overtime transactions "from the reach of dominant constitutional power." *Norman* v. *B. & O. R. Co.,* 294 U. S. 240, 306-311. If in the judgment of Congress time and a half for overtime has a substantial effect on these conditions it lies with Congress' power to use it to promote the employees' well-being.

Statutory Construction. The petitioner attacks the basic conceptions upon which the Circuit Court of Appeals determined that the compensation paid by the respondent violated section 7(a) of the act.[7] That court felt that "one of the fundamental purposes of the Act was to induce work-sharing and relieve unemployment by reducing hours of work." We agree that the purpose of the act was not limited to a scheme to raise substandard wages first by a minimum wage and then by increased pay for overtime work. Of course, this was one effect of the time and a half provision, but another and an intended effect was to require extra pay for overtime work by those covered by the act even though their hourly wages exceeded the statutory minimum. The provision of section 7(a) requiring this extra pay for overtime is clear and unambiguous. It calls for 150% of the regular, not the minimum, wage. By this requirement, although overtime was not flatly prohibited, financial pressure was applied to spread employment to avoid the extra wage and workers were assured additional pay to compensate them for the burden of a workweek beyond the hours fixed in the act. In a period of widespread unemployment and small profits, the economy inherent in avoiding extra pay was expected to have an appreciable effect in the distribution of available work. Reduction of hours was a part of the plan from the beginning. "A fair day's pay for a fair day's work" was the objective stated in the Presidential message which initiated the legislation.[8] That message referred to a "general maximum working week", "longer hours on the payment of time and a half for overtime" and the evil of "overwork" as well as "underpay." The message of November 15, 1937, calling for the enactment of this type of legislation referred again to protection from excessive hours.[9] Senate Report No. 884 just cited, page 4, the companion House Report [10] and the Conference report [11] all spoke of maximum hours as a separately desirable object. Indeed, the form of the act itself in setting up two sections of standards, Section 6 for wages and Section 7 for hours, emphasizes the duality of the Congressional purpose. The existence of such a purpose is no less certain because Congress chose to use a less drastic form of limitation than outright prohibition of overtime. We conclude that the act was designed to require payment for overtime at time and a half the regular pay, where that pay is above the minimum, as well as where the regular pay is at the minimum.[12]

We now come to the determination of the meaning of the words "the regular rate at which he is employed." Since we have previously determined in this opinion, in the discussion of petitioner's objection to the application of the Act on the ground of unconstitutionality, that the scope of the commerce power is broad enough to support federal regulation of hours, we are concerned at this point only with the method of finding the regular rate under the contract with respondent. Congress might have sought its objective of clearing the channel of commerce of the obstacles of burdensome labor disputes by minimum wage legislation only. We have seen that it added overtime pay. The wages for minimum pay are expressed in terms of so much an hour. Sec. 6(a) (1)— "Not less than 25 cents an hour" with raises for succeding years or by order of the Administrator under Sec. 8. Cf. *Opp. Cotton Mills* v. *Administrator,* 312 U. S. 126. Neither the wage, the hour nor the overtime provisions of sections 6 and 7 on their passage spoke specifically of any other method of paying wages except by hourly rate.[13] But we have no doubt that pay by the week, to be reduced by some method of computation to hourly rates, was also covered by the act.[14] It is likewise abundantly clear from the words of section 7 that the unit of time under that section within which to distinguish regular from overtime is the week. "No employer shall . . . employ any of his employees . . . (1) for a workweek longer than forty-four hours . . . " Sec. 7(a) (1).[15]

No problem is presented in assimilating the computation of overtime for employees under contract for a fixed weekly wage for regular contract hours which are the actual hours worked,[16] to similar computations for employees on hourly rates. Where the employment contract is for a weekly wage with variable or fluctuating hours the same method of computation produces the regular rate for each week. As that rate is on an hourly basis, it is regular in the statutory sense inasmuch as the rate per hour does not vary for the entire week, though week by week the regular rate varies with the number of hours worked. It is true that the longer the hours the less the rate and the pay per hour. This is not an argument, however, against this method of determining the regular rate of employment for the week in question. Apart from the Act if there is a fixed weekly wage regardless of the length of the workweek, the longer the hours the less are the earnings per hour. This method of computation has been approved by each circuit court of appeals which has considered such problems. See *Warren Bradshaw Drilling Co.* v. *Hall,* 124 F. 2d 42, 44; *Bumpus* v. *Continental Baking Co.,* 124 F. 2d 549, 552, cf. *Carleton Screw Products Co* v. *Fleming,* 126 F. 2d 537, 541. It is this quotient which is the "regular rate at which an employee is employed" under contracts of the types described and applied in this paragraph for fixed weekly compensation for hours, certain or variable.[17]

Petitioner invokes the presumption that contracting parties contemplate compliance with law and contends that accordingly there is no warrant for construing the contract as paying the employee only his base pay or "regular rate," regardless of hours worked. It is true that the wage paid was sufficiently large to cover both base pay and fifty per cent additional for the hours actually worked over the statutory maximum without violating section six. But there was no contractual limit upon the hours which petitioner could have required respondent to work for the agreed wage, had he seen fit to do so, and no provision for additional pay in the event the hours worked required minimum compensation greater than the fixed wage. Implication cannot mend a contract so deficient in complying with the law. This contract differs from the one in *Walling* v. *Belo,* decided today, where the contract specified an hourly rate and not less than time and a half for overtime, with a guaranty of a fixed weekly sum, and required the employer to pay more than the weekly guaranty where the hours worked at the contract rate exceeded that sum.

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[7] Note 1 *supra.*

[8] May 24, 1937, 81 Cong. Rec. 4983, 75th Cong., 1st Sess.; Sen. Rep. No. 884 on S. 2475, July 6, 1937, p. 2.

[9] 82 Cong. Rec. 11, 75th Cong., 2d Sess.

[10] House Rep. 1452, 75th Cong., 1st Sess., pp. 14, 15.

[11] 83 Cong. Rec. 9246, 9254.

[12] Cf. Bumpus *v.* Continental Baking Co., 124 F. 2d 549, 551: Carleton Screw Products Co. *v.* Fleming, 126 F. 2d 537, 539; Tidewater Optical Co. *v.* Wittkamp, 179 Va. 545, 551, 19 S. E. 2d 897, 899; McMillan *v.* Wilson & Co., 2 N. W. 2d 838, 839 (Minn. Sup. Ct.); see United States *v.* Darby, 312 U. S. 100, 125.

[13] Sec. 3(m) defined wage to include board, lodging or other facility customarily furnished employees. The Joint Resolution of June 26, 1940, for work relief and relief for the fiscal year 1941, Sec. 3(f) deals with piece work in Puerto Rico or the Virgin Islands. 54 Stat. 611, 616.

[14] Any other interpretation would render almost useless the exemptions from the act of employees in "executive, administrative, professional or local retailing capacity, or in the capacity of outside salesmen." Sec. 13(a)(1). Such employees are rarely paid by the hour.

[15] The legislative history of the Fair Labor Standards Act is inconclusive as to the intended meaning of the words "the regular rate at which he is employed." The committee reports do not discuss them. The bill which came out of the Conference and was adopted changed "regular hourly rate" of previous bills (S. 2475, introduced May 24, 1937; H. R. 7200, introduced May 24, 1937; and S. 2475 in the Senate, April 20, Calendar Day May 25, 1938) to "regular rate." Conference Report, 83 Cong. Rec. 9247, 75th Cong., 3rd Sess. "Hourly" may have been omitted as not descriptive of piecework or salary payments.

[16] Wage divided by hours equals regular rate. Time and a half regular rate for hours employed beyond statutory maximum equals compensation for overtime hours.

[17] This has been the Administrator's interpretation of the Act. Interpretative Bulletin No. 4 issued October 21, 1938, revised November, 1940. While the interpretative bulletins are not issued as regulations under statutory authority, they do carry persuasiveness as an expression of the view of those experienced in the administration of the Act and acting with the advice of a staff specializing in its interpretation and application. Cf. United States *v.* American Trucking Associations, 310 U. S. 534, 549; United States *v.* Darby, 312 U. S. 100, 118, n. 2; Graves *v.* Armstrong Creamery Co., 154 Kansas 365, 370, 118 P. 2d 613, 616. Even negative construction may be significant. Trade Comm'n *v.* Bunte Bros., 312 U. S. 349, 351, 352.

Regulations on records issued pursuant to section 11(a) have since September 15, 1941, referred to Interpretative Bulletin 4 for the method of computation. 6 Fed. Reg. 4695, n. 9.

In the Circuit Court of Appeals[18] it was held that the liquidated damages provision, section 16(b) of the Act, 52 Stat. 1069, was mandatory on the courts, regardless of the good faith of the employer or the reasonableness of his attitude. Petitioner attacks this conclusion as a denial of due process because if the damage provision is mandatory, the employer is "without opportunity to test the issues before the courts," citing *Ex parte Young,* 209 U. S. 123, *Wadley Southern Ry.* v. *Georgia,* 235 U. S. 651, and other similar cases. Petitioner points out that if there was a failure to pay the statutory overtime, it resulted from an inability to determine whether the employee was covered by the Act.

Section 13 (b) (1)[19] exempts from section 7 employees for whom the Interstate Commerce Commission has power to establish maximum hours of service. This exemption was derived from the Motor Carrier Act of 1935, 49 Stat. 543, which authorized the Commission to regulate "maximum hours of service of employees." A definitive order leaving employees with the duties of respondent subject to the Fair Labor Standards Act was not passed by the Commission until March 4, 1941,[20] after respondent's employment ended. This conclusion, however, was foreshadowed by the ruling of the Commission, December 29, 1937[21] that it would limit regulations concerning maximum hours to employees whose functions affected the safety of operations. Other orders, bulletins and opinions pointing to the final conclusion intervened.[22] These various determinations now make it clear that respondent was subject at all times since the effective date of the Fair Labor Standards Act to its provisions. The Interstate Commerce Commission never had the power to regulate his hours.

Perplexing as petitioner's problem may have been, the difficulty does not warrant shifting the burden to the employee. The wages were specified for him by the statute,[23] and he was no more at fault than the employer. The liquidated damages for failure to pay the minimum wages under sections 6(a) and 7(a) are compensation, not a penalty or punishment by the Government.[24] Cf. *Huntington* v. *Attrill,* 146 U. S. 657, 667, 668, 674, 681; *Cox* v. *Lykes Brothers,* 237 N. Y. 376, 143 N. E. 226. The retention of a workman's pay may well result in damages too obscure and difficult of proof for estimate other than by liquidated damages. *Atchison, etc. Ry.* v. *Nichols,* 264 U. S. 348, 351; *James-Dickinson Co.* v. *Harry,* 273 U. S. 119. Nor can it be said that the exaction is violative of due process. It is not a threat of criminal proceedings or prohibitive fines, such as have been held beyond legislative power by the authorities cited by petitioner. Even double damages treated as penalties have been upheld as within constitutional power.[25]

Affirmed.

The Chief Justice concurs in the result. Mr. Justice Roberts dissents.

J. NINIAN BEALL and JOHN R. NORRIS for petitioner; GEORGE A. MAHONE (W. HAMILTON WHITEFORD and WILLIAM O. TYDINGS with him on the brief) for respondent; CHARLES FAHY, Solicitor General, ARNOLD RAUM, WARNER W. GARDNER, Solicitor, United States Department of Labor, MORTIMER B. WOLF, Assistant Solicitor, and JACOB D. HYMAN filed brief on behalf of the Administrator of the Wage and Hour Division, United States Department of Labor, as amicus curiae; J. NINIAN BEALL filed brief on behalf of American Trucking Associations, Inc., as amicus curiae.

Sales

NO CAUSE FOR JITTERS

Because concern over so-called "threats to advertising" by government officials is being felt in some quarters, by broadcasters and other media men, repeated statements have been issued by high authorities disclaiming any intention to curtail or eliminate advertising.

It is true that the War and Navy Departments have issued statements governing advertising deductions to determine costs of manufacture on contracts for government supplies. It should be emphasized, however, that these rulings are limited in their scope and application, applying chiefly to prime or sub-contractors.

On the broader field of consumer or institutional advertising, several reassuring statements have been issued by such authorities as Leon Henderson, OPA head; Assistant Attorney General Thurman Arnold; Donald Montgomery, AAA Consumers' Council head, and others.

Among the more recent of these are statements reported in the *New York Times* May 30 and in various trade journals last week. Said *Advertising Age* on June 1:

"Mr. Henderson reiterated the statements he made at the joint meeting of the AAAA and ANA last November, and asserted that his attitude toward advertising has in no wise changed since then; and Mr. Arnold declared again that he is not interested in advertising per se, but only in the use of advertising and other business tools in a monopolistic manner.

"Mr. Montgomery, whose views have not been so frequently stated as those of the other two, asserted that shortages of goods may lead to curtailment of product advertising, but continued:

" 'But there will still be a great need, in my opinion, for a whole lot of national advertising. It is time advertising people started advertising the United States and particularly the big job it has to do at the moment . . . In my opinion if the private advertiser has vision—as some have shown they have—he will fulfill this new function *while the war is on.* In other words, although the opportunity for specific commodity advertising is undoubtedly going to be curtailed, *the need for advertising as a whole will not be curtailed* if advertisers have enough vision.'."

It has been pointed out that misunderstandings exist among some manufacturers and retailers regarding the true attitude of high government officials, and that in some cases these misunderstandings have been fostered by minor officials or field men. Broadcasters are urged to clear up these erroneous notions wherever they are found to exist.

AFA CONVENTION JUNE 21-24

Radio will present its case before delegates to the annual convention of the Advertising Federation of America, to be held at

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[18] 126 F. 2d 98, 111, and cases cited which so construed the Act.

[19] "Sec. 13 . . . (b) The provisions of section 7 shall not apply with respect to (1) any employee with respect to whom the Interstate Commerce Commission has power to establish qualifications and maximum hours of service pursuant to the provisions of section 204 of the Motor Carrier Act, 1935; . . ." 52 Stat. 1068; 29 U. S. C. § 213(b).

[20] Ex parte MC-2, 28 M. C. C. 125.

[21] Ex parte MC-2, 3 M. C. C. 665, 667.

[22] March 25. 1939, Interpretative Bulletin, Wage & Hour Division No. 9; May 9, 1939, Ex parte MC-28, 13 M. C. C. 481, 488; June 15, 1939, Ex parte MC-C-139, 16 M. C. C. 497; May 27, 1940, United States *v.* American Trucking Assns., 310 U. S. 534.

[23] Cf. Labor Board *v.* Electric Vacuum Cleaner Co., No. 588, this Term, slip opinion p. 9.

[24] The Government has collected the cases under the Act upon the point: "One line of cases holds that the 'double damages' do not constitute a penalty incurred under the laws of the United States within the meaning of Sections 24(9) and 256 of the Judicial Code (28 U. S. C. secs. 41(9) and 371). Robertson *v.* Argus Hosiery Mills, 121 F. (2d) 285, 286 (C. C. A. 6th), certiorari denied, No. 638, present term; Stewart *v.* Hickman, 36 F. Supp. 861 (W. D. Mo.); Kuligowski *v.* Hart, 4 Wage Hour Rept. 203 (N. D. Ohio); Wingate *v.* General Auto Parts Co., 40 F. Supp. 364 (W. D. Mo.); Barron *v.* F. H. E. Oil Co., 4 Wage Hour Rept. 551 (W. D. Tex.); Hart *v.* Gregory, 218 N. C. 184, 10 S. E. (2d) 644; Forsyth *v.* Central Foundry Co., 240 Ala. 277, 198 So. 706; Graves *v.* Armstrong Creamery Co., 154 Kans. 365, 118 P. (2d) 613; Emerson *v.* Mary Lincoln Candies, 173 Misc. 531, affirmed 261 App. Div. 879, affirmed, 287 N. Y. 33, 38 N. E. (2d) 234; Abroe *v.* Lindsay Bros. Co., 300 N. W. 456 (S. Ct. Minn.); Tapp *v.* Price-Bass Co., 147 S. W. (2d) 107 (S. Ct. Tenn.); Duke *v.* Helena-Glendale Ferry Co., 5 Wage Hour Rept. 206 (S. Ct. Ark.); Dennis *v.* Equitable Equipment Co., decided March 16, 942 (Ct. App. La.); Adair *v.* Traco Division, 192 Ga. 59. 14 S. E. 2d 466. . . . The other line of cases holding Section 16(b) to be remedial rather than penal involves determination of the applicable statute of limitations. Collins *v.* Hancock, 4 Wage Hour Rept. 522 (D. La. Caddo Parish); Tucker *v.* Hitchcock, No. 370, S. D. Fla., Oct. 2, 1941; Klotz *v.* Ippolito, 40 F. Supp. 422 (S. D. Texas)."

[25] Cf. Missouri Pacific Ry. Co. *v.* Humes, 115 U. S. 512; Minneapolis & St. Louis Ry. Co. *v.* Beckwith, 129 U. S. 26; Kansas City Southern Ry. Co. *v.* Anderson, 233 U. S. 325.

Hotel Commodore, New York City, June 21-24. The radio meeting will be held Wednesday morning, June 24, from 9:30 A.M. until noon, and will conform to the general wartime theme of the convention.

Under the auspices of the NAB Department of Broadcasting Advertising, three talks on radio will comprise the program. Speakers will be Samuel R. Rosenbaum, president of WFIL, speaking on "Radio's Greatest Challenge;" John M. Outler, commercial manager, WSB, on "Radio as an Advertising Medium in Wartime," and Lieut. Col. Edward M. Kirby, chief of the War Department's radio branch, on "Radio Goes to War."

Attending from the NAB staff will be Arthur C. Stringer and Frank E. Pellegrin, who also will have charge of a radio exhibit at the convention's Advertising Exposition.

Complimentary tickets to the Exposition are enclosed with this issue of REPORTS, and all NAB members are cordially invited to attend and to bring their clients and friends. Additional complimentary tickets may be obtained by writing the NAB.

OUTLER APPOINTMENT

Appointment of John M. Outler, Jr., commercial manager of WSB, Atlanta, Ga., as chairman of the Sales Managers Executive Committee of the National Association of Broadcasters, was announced today by NAB President Neville Miller.

Outler served last year as a member of the committee, representing large stations. As chairman he succeeds Eugene Carr, now with the Office of Censorship in Washington.

A 49-year-old native of Georgia, Outler was graduated from Emory University in 1914, and served in the army from 1917 to 1919, including 16 months with the A. E. F. as First Lieutenant in the Field Artillery.

He began his advertising career in 1914 as an ad solicitor for the Augusta Herald, and joined the Atlanta Journal in 1915. After the war he returned to that paper as automobile editor from 1919 to 1926 and manager of the rotogravure advertising department from 1926 to 1931.

In 1931 he joined WSB as commercial manager and has held that position since. He is married, has two girls and a boy, and is a member of the Atlanta Advertising Club, the Atlanta Athletic Club and the Executives' Association of Atlanta.

Long active in NAB sales managers affairs, Outler was a member of the original steering committee in 1936 which set up the plans for the sales managers division of the NAB, which has since become the Department of Broadcast Advertising, headed by Frank E. Pellegrin. Besides serving on the executive committee last year, Outler also, for the past two years, was sales managers chairman of the Fifth District, comprising Alabama, Georgia and Florida. He is also widely known in the industry as a forceful speaker on sales topics and as a humorist and raconteur.

Appointment of other members of the committee will be announced as soon as acceptances are received, Mr. Miller said.

CBS Revises Rates

The Columbia Broadcasting System on June 8 released the announcement of revision of discounts applying to their current rate card. These revisions will be effective July 15, 1942, on all new contracts, and effective July 15, 1943, or any time prior thereto on existing contracts. Two changes mark this discount revision. The first is a reduction in their weekly "station hour" discounts. The new schedule is as follows:

Less than 25 station-hours per week............	Net
25 or more but less than 45 station-hours per week	2½%
45 or more but less than 70 station-hours per week	5 %
70 or more station-hours per week	7½%
Annual discount	12½%

The second revision is completely new, granting a 15% discount to all users of the full network of 115 CBS stations.

In addition to the above, CBS notes in its announcement that it has acceded to the requests of the 4 A's and the ANA in the matter of cash discount by considering the first 2% of each discount as a cash discount and labelled only as such.

By this revision, CBS is offering incentive to the full network user purchasing maximum time. The implications are important to the industry, and it is suggested that stations study the four-page announcement.

WPB ELECTRIC POWER CURTAILMENT ORDER EXPLAINED

Early in May the Power Branch of WPB issued an order (Limitation Order L-94), titled "To provide for the Curtailment of Electric Power in the United States." In listing the power consumers exempt from the mandatory curtailment provisions of the order, radio communication (not including commercial broadcasting) was listed.

Inquiry was immediately made by NAB to ascertain the source of this order and the significance thereof, and a protest against the non-inclusion of commercial radio broadcasting as an exempt industry was filed. The following communication from Mr. J. A. Krug, Chief, Power Branch of WPB, will serve to clarify the matter:

"This is in response to your letter of May 9 protesting in behalf of the National Association of Broadcasters, against the non-inclusion of commercial radio broadcasting in the exempt uses listed in Exhibit 'B' of Limitation Order L-94.

"It is the purpose of Limitation Order L-94 to effectuate emergency curtailments of non-essential uses of electric power so that deliveries of power to vital war industries will not be interrupted. It is our intention that the administration of Order L-94 shall interfere as little as possible with essential activities. The curtailment provisions of the Order will not be put into effect until all other means for meeting the war demand for power have been exhausted. At the time that a particular area is declared to be a power shortage area, users of power in the area will be examined for the purpose of ascertaining whether or not it is essential that their uses of power continue uninterrupted.

"The Order does not contemplate that power deliveries to non-exempt consumers will be completely eliminated during shortages. In cases of capacity shortage, curtailment of non-exempt consumers may be limited to a reduction in demand during hours of system peak. In areas in which an energy shortage is found to exist, total consumption will probably be reduced by a certain percentage, which could ordinarily be achieved by decreasing the hours of radio station operation.

"Your letter points out that traffic control and signal systems are included within the exempt category in Limitation Order L-94. This is because such systems are vital to the continuance of essential civilian activities. To the extent that radio broadcasting forms an integral part of the war effort or essential civilian activities, our regional curtailment schedules will permit continued deliveries of power to radio stations. Where, however, the broadcasting is of a non-essential nature, there seems no less reason to curtail such broadcasting than to curtail the activities of other information and advertising media. When curtailment appears necessary in any particular area we would expect to consult with the War Production Board Communications Branch and other agencies concerned with radio as well as with the stations themselves as to any special problems which should be taken into account with regard to broadcasting in the affected section.

"Complete public cooperation is necessary to assure the success of any curtailment program and the radio industry can be of the greatest usefulness in gaining popular support for power conservation programs in shortage areas. We trust that we will be able to count on the assistance of broadcasters in helping to make the maximum supply of power available for the use of war producers."

UTAH

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Beaver	1,245	86.2	1,073	......	....	......	1,012	87.5	885	233	80.8	188
Box Elder	4,516	93.3	4,215	1,483	95.8	1,421	1,290	92.4	1,191	1,743	92.0	1,603
Cache	7,470	95.3	7,116	3,214	95.5	3,068	2,171	94.2	2,044	2,085	96.1	2,004
Carbon	4,608	84.4	3,888	2,056	85.6	1,761	2,141	85.1	1,822	411	74.1	305
Daggett	131	60.8	80	......	....	......	54	53.1	29	77	65.8	51
Davis	3,776	94.3	3,562	820	97.9	803	1,641	94.6	1,552	1,315	91.8	1,207
Duchesne	1,961	76.5	1,500	......	....	......	839	77.6	651	1,122	75.7	849
Emery	1,615	84.2	1,359	......	....	......	1,168	88.4	1,032	447	73.2	327
Garfield	1,092	77.8	850	......	....	......	936	77.3	724	156	81.1	126
Grand	515	68.6	353	......	....	......	385	71.2	274	130	60.6	79
Iron	2,049	88.6	1,814	1,170	90.7	1,061	557	86.1	479	322	85.1	274
Juab	1,943	90.7	1,762	732	93.4	683	1,019	92.1	938	192	73.3	141
Kane	563	81.3	457	......	....	......	419	82.7	346	144	76.9	111
Millard	2,180	89.6	1,954	......	....	......	1,604	92.5	1,484	576	81.5	470
Morgan	634	94.4	598	......	....	......	355	94.4	335	279	94.4	263
Piute	545	83.0	453	......	....	......	384	81.7	314	161	86.5	139
Rich	497	95.5	475	......	....	......	309	95.4	295	188	95.7	180
Salt Lake	56,621	95.3	53,955	45,896	95.6	43,876	8,159	94.0	7,668	2,566	94.0	2,411
San Juan	997	42.8	420	......	....	......	358	72.2	258	639	25.4	162
Sanpete	4,011	91.8	3,685	......	....	......	3,368	93.3	3,143	643	84.4	542
Sevier	2,962	89.8	2,661	919	92.7	852	1,588	90.3	1,434	455	82.5	375
Summit	2,197	94.3	2,073	990	94.1	932	741	95.6	708	466	92.9	433
Tooele	2,359	91.4	2,155	1,278	93.4	1,193	809	90.0	728	272	86.0	234
Uintah	2,224	76.4	1,700	......	....	......	1,059	78.7	833	1,165	74.4	867
Utah	13,708	94.7	12,975	9,696	95.7	9,282	2,146	91.4	1,960	1,866	92.8	1,733
Wasatch	1,407	92.3	1,297	698	93.6	653	401	89.6	359	308	92.6	285
Washington	2,064	82.8	1,711	842	80.3	676	616	84.3	520	606	84.9	515
Wayne	494	81.6	403	......	....	......	333	81.4	271	161	82.1	132
Weber	15,103	95.2	14,379	11,964	95.4	11,418	1,253	94.8	1,188	1,886	94.0	1,773
State Total	139,487	92.4	128,923	81,758	95.0	77,679	37,115	90.2	33,465	20,614	86.3	17,779

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Ogden	Weber	11,964	95.4	11,418
Salt Lake City	Salt Lake	41,368	95.7	39,600

NAB Research Department

June 3, 1942

RUBBER SHORTAGE

Four leading war agency officials recently joined in a statement designed to clarify the facts about the severe rubber shortage.

Issued because many confusing and conflicting stories have been circulated about rubber, the statement points out that the shortage is extremely serious, reports to the contrary notwithstanding, and that no rubber of any kind can be spared for purposes not directly connected with the war effort.

Donald M. Nelson, chairman of the War Production Board; Arthur B. Newhall, Rubber Coordinator; Joseph B. Eastman, director of the Office of Defense Transportation, and Leon Henderson, Administrator of the Office of Price Administration and director of the WPB division of Civilian Supply, all joined in the statement, which follows:

There has been a great deal of confusion about the rubber situation, much of it caused by optimistic stories about the availability of synthetic rubber at an early date, or the large amount of scrap rubber which can be re-processed.

But there is little real basis for such optimism. Our rubber shortage is one of the worst materials shortages we face. We can spare no rubber of any kind for non-essential uses. Statements to the contrary are misleading, and do the country a great disservice, for the facts as we see them are grim, and we need one hundred per cent cooperation in conservation measures by the general public and by industry.

Before Pearl Harbor, it appeared that this country had an adequate supply of rubber, in the light of the situation as it then existed. We had stockpiled substantial tonnages in anticipation of interruption in shipments from the Far East, and steps had already been taken to regulate civilian consumption.

Events following Pearl Harbor, however, created a wholly new series of problems. The President announced a new military program on January 6. This very greatly increased our military requirements for rubber. Then, our major sources of rubber supply were lost. In addition, our Allies were forced to look to the United States as a source of military rubber.

Thus, despite precautionary steps taken in 1941, it has become necessary to develop a rationing program for rubber which eliminates all but the most necessary uses.

War Production Board figures show three facts:

1—We cannot spare any rubber to make new tires for ordinary passenger cars; the tires we do have must be strictly rationed to essential uses.

2—All the synthetic rubber we get must go to the war effort.

3—The most optimistic estimates for this year and next indicate no rubber for anything but the most essential uses.

Actually, the rubber shortage is far worse than most people seem to realize; the enemy controls 90 per cent of the world's rubber-producing areas, and every ounce of our stockpile is needed desperately for the armed forces.

Worst of all, the optimistic stories may keep us from recognizing what we are up against until too late. Our biggest stockpile of rubber is on our cars; these tires must be preserved. Autos shelved for the duration for lack of tires put more burden on already overcrowded buses and trolleys.

Every citizen can and must adopt a five-point conservation program:

1. Stop driving your car except when necessary; make it last.
2. Drive under 40 miles an hour.
3. Shift tires from wheel to wheel and inflate them properly.
4. If you drive to work, drive your friends and neighbors; car-pooling is essential.
5. Remember that rubber is precious; save it; every car is now a vital part of the nation's transportation system.

Needless driving today is unpatriotic. Deliberate waste of rubber helps the enemy. We call on Americans to ration themselves strictly.

Restrictions Relaxed

Restrictions on inventories in the radio and wire communications industries have been modified so that material for specific Army, Navy and other war projects may be stocked without interference with normal operating inventories.

This action was taken in interpretations of Preference Rating Order P-129.

Order P-129 makes an A-3 rating available to an operator or his supplier for deliveries of materials essential for maintenance, and repair and protection of service in connection with radio and wire communication operations.

P-129 prohibits operators from accepting deliveries of materials, whether rated or not, until the dollar value of their inventory has been reduced to a practicable working minimum interpreted as 27½ per cent of the dollar value of materials used by them for all purposes during 1940.

WPB's Communications Branch has found that these inventory restrictions have worked a hardship on some operators, who have been forced to acquire large inventories of material for specific projects authorized by the Director of Industry Operations. The restrictions have prevented these operators from acquiring normal inventory for current operations.

Inventory of material as defined in the interpretations does not include material intended for use in special projects authorized by WPB, or any equipment of an outmoded type reserved by an operator for re-use as a practical conservation measure to meet probable future operations.

At the same time, the interpretations state that operators must include in their inventories of material all items of salvaged material and supplies, whether held for re-use or for sale as junk. Such items must be counted in inventories until they have been physically incorporated into maintenance, repair operating construction or other projects.

(Editor's note: It is still necessary to use Form PD-1A for items that cannot be secured with the industry A-3 rating.)

SWAP PLAN WILL HELP

This interpretation suggests an extra incentive for participating in the swapping of materials. This was discussed last week in "Swap Bulletin" No. 1 mailed to all stations.

When stations take their inventory, which they must do before ordering materials, in order to avoid the possibility of running afoul of the law, they will probably find they are long on some items and short on others. The immediate job then is to get this stock in balance. Perhaps you can do this by sending in your "wanted" items and your "for sale" items. See "Swap Bulletin" of June 5 for details.

The second issue of the Swap Bulletin will be published just as soon as station engineers make known the items they have for sale and the items they want to buy. Insufficient time has elapsed for us to receive much copy. However, we did hear from two stations. While their wants are published in NAB Reports today, they will be republished in the "Swap Bulletin" later.

For Sale—Make Offer

For Sale by E. K. Cargill, president, WMAZ, Macon, Ga.

One Blaw-Knox self-supporting 244-foot Vertical Radiator complete with Insulators, etc. This tower will be available approximately Sept. 1 and purchaser must dismantle and remove from property. Tower outfitted with regulation 100-watt lamps at one-third and two-third level with 300 mm. flashing code beacon at top. This is a good buy for some licensee to complete his construction permit.

Wanted to Buy

Wanted to Buy by H. G. Cole, chief engineer, WSBT, South Bend, Ind.

Two 827R Radio tubes
Two 889R Radio tubes

GASOLINE RATIONING PLAN

"X" cards, providing for unrestricted purchases of gasoline, are eliminated in the new coupon plan for rationing gasoline which the Office of Price Administration will put into effect in the East Coast area next month, Price Administrator Henderson announced June 4. This plan will supplant the emergency plan now in operation. No motorist under the new plan will receive gasoline in excess of what he needs to carry on his work, except that all motorists will have a basic ration to provide for household and other necessary family driving.

Slips to Be Torn Out and Returned

Coupon books will take the place of the "meal ticket" type cards, Mr. Henderson said. In fact, the new plan will require coupons for all gasoline purchases. Coupons, issued to car owners in several types of books, will be torn out by the dealer when gasoline purchases are made. The dealer in turn must turn in these coupons when getting new stocks from his supplier. This "flow back" of coupons, it was explained, will provide an audit control of every gallon of gasoline distributed under rationing.

Under the new plan there will be 6 types of books for highway uses. The A book, containing 48 coupons, will provide the basic ration to which every passenger car owner is entitled. These 48 coupons will be good for 1 year. B and C books will provide supplementary rations for passenger cars for vocational, governmental, and war purposes in addition to that provided by the A book.

The D book will provide a basic ration for motorcycles, and "S-1" and "S-2" books will be issued to trucks, buses, and similar vehicles.

Extra Forms for Extra Gas

OPA announced that only A and D books will be issued at the time of registration. The dates and places for registration will be announced later. Upon filling out a simple form and presenting his registration card, any automobile owner may receive the basic ration book.

To obtain additional rations, through either a B or a C book, the car owner must fill out a much more detailed application and present it to a local rationing board for action. The application forms for these higher rating books will be available at the registration place.

In order to satisfy a local board that he should have a supplementary book of coupons, a car owner will have to prove that an A book will not provide him with enough gasoline to carry on his occupation or other work. On his application he will have to prove (1) that he has formed a club of four members who plan to "double up" or rotate use of their cars, or (2) that alternative means of transportation are inadequate. He will also have to establish the minimum amount of driving that he must do.

Books to Be "Tailored" to Need

All B books will contain 16 coupons, which must last persons to whom they are issued a minimum of 3 months, according to the mileage need he has proved. If the B book will meet the needs of the user for a period longer than 3 months, the board will "tailor" the book by fixing an expiration date which will allow the exact mileage required. The expiration date will be determined by the local board, and the date will be stamped on the book cover at time it is issued. It will be impossible, save in exceptional cases, for the holder to receive another B card before that expiration date.

C books, containing a maximum of 96 coupons, will be issued to drivers who prove that neither an A book, nor an A book plus a B book, will supply them with sufficient gasoline to carry on work related to the war effort or to the maintenance of essential public or civilian services. Such drivers will receive gasoline only for driving in connection with specified work or services of this type. Among the services for which such rations will be issued are medical care, maintenance of public utilities, carrying farm labor, giving religious comfort or assistance, and making official trips on Government business.

Only journeys authorized by any Federal, State, local, or foreign government for their employees or officials will be considered official trips.

Each C book, it was explained, will be tailored to fit the needs of the person receiving it. While all C books will contain 96 coupons, coupons will be removed to provide the exact mileage required.

S books will be issued for trucks, buses, and taxis, and will provide sufficient gasoline for the needs of such vehicles for a 4-month period.

OPA emphasized that while all applicants for rations for trucks, buses and similar vehicles must show how much gasoline they will need, there is no intention at the present time to curtail the operations of such vehicles except as the Office of Defense Transportation may provide in its rules and regulations.

In addition to the various coupon books for highway users, there will be E and R books for nonhighway users, including boats.

ENEMY PATENTS SEIZED

An additional 600 enemy owned patents have been taken over by Leo T. Crowley, Alien Property Custodian. With the exception of five patents of Hungarian origin, all were formerly the property of German corporations.

Among the patents seized were included more than 200 owned Telefunken relating primarily to radio and television equipment.

FEDERAL COMMUNICATIONS COMMISSION

REGISTRATION OF RADIO TRANSMITTERS NOT LICENSED

The FCC has ordered every one in possession of a radio transmitter, who does not hold a radio station license for its operation, to apply for registration not later than June 28, 1942.

Previously, the Defense Communications Board had issued an order in which it determined that the national security and defense and the successful conduct of the war demand that the Government have knowledge of all persons who possess apparatus equipped for the transmission of radio frequency energy.

By its requirement that all unlicensed radio transmitters be registered, the FCC has taken the necessary steps to ascertain the exact locations and amounts of all equipment of this kind in the country. Consequently, the Government will be in a position to take measures to prevent use of the equipment by enemy interests, and to determine its availability for our own war needs.

The Commission requires that a separate application must be made for each transmitter and that each application must be sent to the Secretary of the Commission in Washington, D. C. Application forms will be supplied by the Commission in Washington or by any of the Commission's thirty field offices throughout the country.

924 STATIONS

During the month of May, 1942, the Federal Communications Commission issued operating licenses to seven stations. No permits were granted for the construction of new stations. A comparative table by month follows:

	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1
Operating	849	854	859	859	869	877	882	887	891	893	897	899	906
Construction	48	43	44	53	44	38	37	36	32	31	27	25	18
	897	897	903	912	913	915	919	923	923	924	924	924	924

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 15. They are subject to change.

Monday, June 15

NEW—Dyke Collum & Harry R. England, a copartners, d/b as Radio Company of Annapolis, Annapolis, Md.—C. P., **1040 kc.,** 250 watts, limited time.

Further Hearing

NEW—Camden Broadcasting Company, Camden, N. J.—C. P., **800 kc.,** 500 watts, daytime.

Tuesday, June 16

NEW—Minor E. Bragg & Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.—C. P., **1450 kc.,** 250 watts, unlimited.

Wednesday, June 17

Further Hearing

NEW—Portsmouth Radio Corporation, Portsmouth, Va.—C. P., **1490 kc.,** 250 watts, unlimited.

Thursday, June 18

Further Consolidated Hearing

NEW—Herald Publishing Company, Klamath Falls, Oregon—C. P., **1400 kc.,** 250 watts, unlimited.

NEW—Dorman Schaeffer, Klamath Falls, Oregon—C. P., **1400 kc.,** 250 watts, unlimited.

Friday, June 19

WROL—S. E. Adcock, d/b as Stuart Broadcasting Company, Knoxville, Tenn.—C. P., **620 kc.,** 1 KW, unlimited, DA-night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WWDC—Stanley H. Horner, Edwin M. Spence and Dyke Collum (Transferors); Joseph Katz, G. Bennett Larson and Charles M. Harrison (Transferees); Capital Broadcasting Co. (Licensee), Washington, D. C.—Granted consent to transfer control (B1-TC-302) of Capital Broadcasting Company, licensee of broadcast station WWDC, from Stanley H. Horner, Dyke Collum and Edwin M. Spence to Joseph Katz, G. Bennett Larson and Charles M. Harrison, for a consideration of $110,000.

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted license (B5-L-1646) to cover Special Service authorization which authorized operation on **1090 kc.**, 250 watts, unlimited time at present site, using equipment authorized under (B5-P-2023). This authorization is granted upon definite assurance heretofore given that licensee will apply for authority to increase station's power to 5 KW as soon as practicable to do so; and licensee should surrender its present license to operate on **1400 kc.**

KBWD—Brown County Broadcasting Co., Brownwood, Texas—Granted modification of license (B3-ML-1123) for increase in power from 500 watts unlimited time, to 500 watts night, 1 KW local sunset, unlimited time.

WSNY—Western Gateway Broadcasting Corp., Schenectady, N. Y.—Granted modification (B1-MP-1548) of construction permit (B1-P-2690) to move transmitter, approval of studio site, change in type of transmitter proposed, change in antenna system and extension of commencement and completion dates.

WEGO—Wayne M. Nelson, Concord, N. C.—Granted modification (B3-MP-1516) of construction permit (B3-P-3007) requesting approval of transmitter and studio location, approval of antenna system and authority to install new frequency monitor, providing applicant submit proof of performance showing a minimum effective field of 175 mv/m for antenna system.

Balaban & Katz Corp., Chicago, Ill.—Granted construction permit (B4-PCT-14) for new commercial television broadcast station to operate on Channel No. 3 **(66,000-72,000 kc.)** ESR:796, with completion date of August 15, 1942.

WGKV—William A. Carroll (Transferor), Kanawha Valley Broadcasting Co. (Licensee), Worth Kramer (Transferee), Charleston, W. Va.—Granted consent to transfer or control (B2-TC-298) of Kanawha Valley Broadcasting Company, station WGKV, from William A. Carroll to Worth Kramer, for a consideration of $10,500, representing transfer of 128 shares of outstanding capital stock.

WEVD—Debs Memorial Fund, New York City.—Granted petition of WEVD for grant of application for construction permit to move the former main transmitter from the station's old location in Brooklyn to its new location in New York City, for use as an auxiliary transmitter.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Granted petition of applicant to take his testimony by deposition in re application for construction permit, for modification of construction permit and renewal of license of WPRP; also authorized the taking of depositions, on behalf of the Commission, of the present and the former Inspectors of the Commission at San Juan, as well as other witnesses in that city and in Ponce.

Portsmouth Radio Corporation, Portsmouth, Va.—Granted petition for grant of application for construction permit (B2-P-3097) for a new station to operate on **1490 kc.**, 250 watts, unlimited time, and cancelled hearing now scheduled for June 17, 1942.

HEARING DESIGNATED

WJAX—City of Jacksonville, Jacksonville, Fla.—Designated for hearing application for construction permit (B3-P-3012) to increase nighttime power to 5 kilowatts and install directional antenna for nighttime use.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending October 1, 1942:

WHLD, Niagara Falls, N. Y.; KGVO, Missoula, Mont.; KFOX, Long Beach, Calif.; KGGM, Albuquerque, N. Mex.; KGLO, Mason City, Iowa; WATR, Waterbury, Conn.; WFVA, Fredericksburg, Va.; WOOD, Grand Rapids, Mich.; WORK, York, Pa.

WMAL—The Evening Star Broadcasting Co., Washington, D. C.—Granted renewal of license for the period ending June 1, 1944.

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted renewal of license for the period ending October 1, 1943.

The following stations were granted renewal of licenses for the period ending August 1, 1944:

KMBC and auxiliary, Kansas City, Mo.; WAAT auxiliary, Jersey City, N. J.; WAPO auxiliary, Chattanooga, Tenn.; WBRC, Birmingham, Ala.; WDAY, Fargo, N. Dak.; WKPA, New Kensington, Pa.; WSBT and auxiliary, South Bend, Ind.

MISCELLANEOUS

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted modification (B4-MP-1573) of construction permit which authorized increase in power, etc. (B4-P-2477), for extension of completion date to July 30, 1942.

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Granted modification (B2-MP-1566) of construction permit, which authorized increase in power and installation of directional antenna for night use, for extension of completion date to September 27, 1942.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification (B3-MP-1572) of construction permit (B3-P-3043) for extension of completion date to October 6, 1942.

WNRB—The National Life and Accident Insurance Co., Nashville, Tenn.—Granted license to cover construction permit (B3-PRE-422) for new relay broadcast station to be used with applicant's standard station WSM; frequencies: **156750, 158400, 159300, 161100 kc.;** 40 watts (B3-LRE-381).

W9XPR—Balaban & Katz Corp., Chicago, Ill.—Granted modification (B4-MPVD) of construction permit (B4-PVB-79) authorizing experimental television broadcast station, for extension of completion date to 90 days from May 25.

W9XBB—Balaban & Katz Corp., Chicago, Ill., Area of Chicago—Granted modification (B4-MPVB-78) of construction permit (B4-PVB-78), authorizing new experimental television broadcast station, for extension of completion date to 90 days from May 25.

WHIP—George F. Courrier (Transferor), John W. Clarke (Transferee), Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Designated for hearing applications for consent to transfer control of Hammond-Calumet Broadcasting Corporation, licensee of station WHIP, from George F. Courrier to John W. Clarke (B4-TC-303).

WJWA—Birney Imes, Portable-Mobile, Area of Columbus, Miss.—Granted license (B3-LRY-263) to cover construction permit (B3-PRY-258) which authorized a new relay broadcast station to be used with applicant's standard station WCBI; frequencies **1622, 2058, 2150, 2790 kc.**, 50 watts.

WMWB—Port Huron Broadcasting Co., Portable-Mobile, Area of Port Huron, Mich.—Granted license (B2-LRY-265) to cover construction permit (B2-PRY-255) which authorized a new relay broadcast station to be used with applicant's standard station WHLS; frequencies **1622, 2058, 2150, 2790 kc.**, 15 watts.

KBSF—The Associated Broadcasters, Inc., Portable-Mobile, Area of San Francisco.—Granted license (B5-LRY-266) to cover construction permit (B5-PRY-267) authorizing a new relay broadcast station to be used with applicant's standard station KSFO; frequencies **1622, 2058, 2150, 2790 kc.**, 50 watts.

KXA—American Radio Telephone Co., Seattle, Wash.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1402).

WNBF—Wylie B. Jones Advertising Co., Binghamton, N. Y.—Granted modification (B1-MP-1551) of construction permit (B1-P-3185) for extension of completion date to August 3, 1942.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—

Granted modification (B4-MP-1576) of construction permit (B4-P-2599 which authorized change in hours of operation and changes in directional antenna system) for extension of completion date to July 30, 1942, subject to condition that objectionable interference will not be caused to station TGW, Guatemala City.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted motion for continuance of hearing on construction permit now scheduled for June 4, and continued same to July 8.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted special service authorization to use frequency, power and transmitter authorized under construction permit (B3-P-3049) as modified (**1010 kc.**, 5 KW night, 10 KW, local sunset, DA-N, unlimited time) at present transmitter site north of Little Rock, with modified present directional antenna. This special service authorization is granted upon the express condition that it may be terminated by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the authority herein granted is or will be in the public interest beyond the express terms hereof.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted modification (B3-MP-1583) of construction permit (B3-P-2641, which authorized increase in power, move of transmitter and installation of DA for night use) for change in type of transmitter.

WKPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Denied petition requesting that application for construction permit to operate on **790 kc.**, 1 KW, unlimited time, directional antenna night, be granted.

Kennebec Broadcasting Co., Augusta, Maine.—Granted petition to dismiss without prejudice application for new station (B1-P-3274).

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted petition for intervention in the hearing on applications of WGAR, Cleveland, WHBC, Canton and WADC, Tallmadge, Ohio.

Butler Broadcasting Corp., Hamilton, Ohio.—Granted in part request for additional time to file petition pursuant to Memo. Opinion of April 27; extended time to June 24.

Butler Radio, Inc., Tyler, Texas.—Granted petition to dismiss without prejudice application for new station (B3-P-2896).

APPLICATIONS FILED AT FCC

550 Kilocycles

KOAC—Oregon State Agricultural College, Ore.—Modification of construction permit (B5-P-2422, as modified, which authorized new transmitter, installation of directional antenna, increase in power, and move of transmitter) for extension of completion date from 6-1-42 to 7-1-42.

NEW—Bob Jones College, Inc., Cleveland, Tenn.—Construction permit for a new station to be operated on **550 kc.**, 1 KW night, 5 KW day, unlimited time, directional antenna night. Amended: to make changes in directional antenna for night use, and change transmitter location from County Farm Road, Route No. 2, Cleveland, Tenn., to Route 11-64, Cleveland, Tenn.

560 Kilocycles

KFDM—Beaumont Broadcasting Corp., Beaumont, Texas.—Construction permit to install new transmitter, directional antenna for day and night use, increase power from 1 to 5 KW and move transmitter. Amended: to change type of transmitter, changes in directional antenna for night use only and change proposed transmitter location.

570 Kilocycles

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modification of construction permit (B2-P-2547, as modified, which authorized new transmitter, increase in power, installation of directional antenna for night use, and change in hours of operation) for extension of completion date from 6-30-42 to 12-31-42.

640 Kilocycles

WHKC—United Broadcasting Co., Columbus, Ohio.—License to cover construction permit (B2-P-3255) for a new vertical antenna system and move of transmitter.

WHKC—United Broadcasting Co., Columbus, Ohio.—Authority to determine operating power by direct measurement.

940 Kilocycles

KTKC—J. E. Richmond, Percy W. Whiteside, Homer W. Wood and Visalia Publishing Co., d/b as Tulare-Kings Counties Radio Associates, Visalia, Calif.—License to cover construction permit (B5-P-3159) as modified to change frequency, increase power, install new transmitter and changes in directional antenna for day and night use and move transmitter.

KTKC—J. E. Richmond, Percy W. Whiteside, Homer W. Wood and Visalia Publishing Co., d/b as Tulare-Kings Counties Radio Associates, Visalia, Calif.—Authority to determine operating power by direct measurement.

1070 Kilocycles

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Construction permit to increase power from 1 KW night, 5 KW day to 5 KW night, 10 KW day, make changes in directional antenna for night use, and changes in transmitting equipment. Amended: to omit request for increase in day power and changes in transmitting equipment.

1130 Kilocycles

KGDM—E. F. Peffer, Stockton, Calif.—Modification of construction permit (B5-P-3199) for change in frequency, hours, increase in power, directional antenna for night use and new transmitter, requesting change in type of transmitter.

1230 Kilocycles

KXO—Valradio, Inc., El Centro, Calif.—Construction permit to change frequency from **1490** to **1230 kc.**, increase in power from 100 to 250 watts, install new transmitter and antenna system and move studio and transmitter. Amended: to request modification of license instead of construction permit by omitting request for increase in power, new transmitter and move of studio and transmitter.

NEW—Raymond C. Hammett, Talladega, Ala.—Construction permit for a new broadcast station to be operated on **1230 kc.**, 250 watts, unlimited time. Amended: re changes in antenna.

WJOB—O. E. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB, Hammond, Ind.—Construction permit to increase power from 100 to 250 watts and make changes in transmitter. Amended: re change in type of transmitter.

1250 Kilocycles

WREN—The WREN Broadcasting Co., Lawrence, Kans.—Authority to determine operating power by direct measurement.

1260 Kilocycles

KYA—Hearst Radio, Inc., San Francisco, Calif.—Assignment of license from Hearst Radio, Inc. to Palo Alto Radio Station, Inc.

KYA—Palo Alto Radio Station, Inc., Palo Alto, Calif.—Modification of license to move studio from San Francisco to Palo Alto, California.

1310 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Modification of construction permit (B3-P-2641) as modified for increase in power, move transmitter and install directional antenna for night use, requesting change in type of transmitter.

1490 Kilocycles

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—License to cover construction permit (B2-P-3410) for changes in auxiliary transmitting equipment.

FM APPLICATIONS

W73I—Associated Broadcasters, Indianapolis, Ind.—Modification of construction permit (B4-PH-122, which authorized a new high frequency broadcast station) for approval of transmitter location at 445 N. Pennsylvania St., Indianapolis, Ind., and approval antenna system.

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Modification of construction permit (B4-PH-6, as modified, which authorized a new high frequency broadcast station) for change in type of transmitter only.

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—License to cover construction permit (B4-PH-6) as modified for a new high frequency broadcast station. Amended change in type of transmitter.

W65PH—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Modification of construction permit (B2-PH-81) as modified for a new high frequency broadcast station, requesting change in transmitter location and studio, change type of transmitter and antenna system, decrease coverage from 9,300 to 5,465 square miles on a temporary basis and change population from 3,900,000 to 3,399,000.

W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y.—Modification of construction permit (B1-PH-46) as modified for a new high frequency broadcast station, requesting decrease in coverage from 8,500 to 5,730 square miles, changes in antenna system and change in population from 11,900,000 to 10,943,000.

W55NY—William G. H. Finch, New York, N. Y.—Modification of construction permit (B1-PH-42) as modified for a new high frequency broadcast station, requesting extension of commencement and completion dates from 4-10-42 and 6-24-42 to 6-24-42 and 12-24-42, respectively.

W75NY—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (P1-PH-52) as modified for a new high frequency broadcast station, requesting extension of completion date from 6-30-42 to 12-30-42.

W49PH—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PH-69) as modified for a new high frequency broadcast station, requesting extension of completion date from 7-22-42 to 7-22-43.

W39B—The Yankee Network, Inc., Boston, Mass.—License to cover construction permit (B1-PH-13) as modified, for a new high frequency broadcast station.

TELEVISION APPLICATION

W2XMT—The Yankee Network, Inc., Boston, Mass.—Modification of construction permit (B1-PVB-40) as modified for a new television broadcast station, requesting extension of commencement and completion dates from 1-1-42 and 7-1-42 to 7-1-42 and 1-1-43, respectively.

MISCELLANEOUS APPLICATIONS

WIUC—University of Illinois, Urbana, Ill.—Modification of construction permit (B4-PED-21, as modified, which authorized new non-commercial educational broadcast station) for change in transmitter location from South of Champaign, Ill. to 1010 S. Wright St., Urbana, Ill., changes in antenna system, and extension of commencement and completion dates from 9-16-41 and 7-16-42 to 10 days after grant and 60 days thereafter, respectively.

KEHB—Topeka Broadcasting Assn., Inc., Mobile—License to cover construction permit (B4-PRE-408) for changes in equipment and increase in power.

WJSM—United Broadcasting Co., Cleveland, Ohio—License to cover construction permit (B2-PRE-420) for a new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

J. & J. Candy Company—A complaint has been issued charging Vinton T. James and George E. James, trading as J. & J. Candy Co., 1507 West Trade St., Charlotte, N. C., with the use of lottery schemes in connection with the sale of candy to ultimate purchasers. (4769)

William R. Warner & Co., Inc., 113 West 18th St., New York, in a complaint is charged with false advertisement of "Agarol," a medicinal preparation. (4770)

STIPULATIONS

During the past week the Commission announced the following stipulations:

Babson Bros. Co., 2845 West 19th St., Chicago, have entered a stipulation to cease representing in the sale of "Surge Fencers" for confining livestock, that the "Surge Hi-Line Fencer" is the only safe electric fence controller; that the mercury switch in the respondent's controller permits an accuracy of timing not approached by any other kind of timing or impulse measuring device; and that there are no competitive alternating-current type electric fence controllers which comply with the Wisconsin Code for electric fence controllers and which are satisfactory. (02989)

Chippewa Springs Corp., 177 Colfax Ave., North, Minneapolis, Vince B. Nyhan, trading as Chippewa Spring Water Company of Chicago, 1318 South Canal St., Chicago, and Hutchinson Advertising Co., 1000 Hodgson Building, Minneapolis, stipulated to cease certain representations in the sale of "Chippewa Natural Spring Water." (02987)

Rex Remedy Co., 315 South Morgan St., Shelby, N. C., has entered into a stipulation to cease certain representations in the sale of "Rex-Lex," advertised as a headache remedy. According to the stipulation, the preparation contains acetanilid and potassium bromide. (02990)

Joseph Triner Corp., 1333 South Ashland Ave., Chicago, stipulated to cease representing that "Triner's Bitter Wine" will clean the stomach, prevent colds, and relieve insomnia, headaches, irritability or nerve disease; and that "Triner's Wine Tonic" will clear the system of accumulated poisons, restore appetite and digestions, assure sleep and maintain good health. The respondent also agrees to cease representing by use of the word "Tonic" in the designation of "Triner's Wine Tonic" that the preparation is a general tonic. (02988)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Gibson-Thomsen Co., Inc., New York, tooth brush manufacturer, and S. H. Kress & Co., chain store owners, with headquarters in New York, have been ordered to cease misrepresentations in the sale of tooth brushes. (3714)

Houston's Mineral Well, Newmarket, Tenn., has been ordered to cease misrepresentations in the sale of "Houston's Mineral Water." (4567)

Radio Wire Television, Inc., 100 Sixth Ave., New York, distributor of radio receiving sets and accessories, has been ordered to cease and desist from representing that a radio receiving set designated as a "One-tube battery operated all-wave set" has the power or capacity to "tune in the world" or that that set or any other receiving set is capable of receiving broadcast programs in excess of its actual power and capacity for such reception. (4491)

Seamless Rubber Co., New Haven, Conn., manufacturer of electrical heating pads for use in treating disease, has been ordered to cease misrepresentations in the sale of its products. (4509)

Thomas Management Corp., the Paul A. Thomas Trust, and 6 individuals of Chicago, distributors of cosmetics and medicinal preparations for the treatment of the hair and scalp, through hair treatment offices operated in various cities from coast to coast, have been ordered to cease and desist from misrepresentations in the sale of their products. (4422)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 24, June 19, 1942

A. F. OF M. SITUATION

So far, James C. Petrillo, president of the American Federation of Musicians, has not translated into action his threat to stop his members from making recordings for radio, juke-boxes, and public consumption in general after August 1.

If and when he does, the NAB will not be caught napping.

Sanders Bill Hearings

MR. FLY TESTIFIES

With the resumption of the hearings on the Sanders Bill Wednesday and Thursday, Chairman Fly was queried at length by numerous Representatives when he got down to the Sanders Bill itself, after having spent about an hour discussing the general activities of the Commission.

Chairman Fly objected to dividing the Commission into two divisions; to what he alleged was the proposed repeal of the Commission's authority to delegate routine functions, to the proposal requiring hearings on applications; to changing the Commission's intervention rule; to requirements of an intermediate report by an examiner; to the provision that filing a protest or petition for rehearing would operate to stay Commission action; to the language alleged to curtail the Commission's issue of special authorizations; and to amendment of the transfer section which he alleged would permit of management contracts.

We quote from the unrevised transcript of the testimony:

"Commissioner Fly. I should like to take up now these specific provisions. Now, the thing I have tried to do thus far, gentlemen, is to give you a picture of the work of the Commission. Perhaps I ought to explain that while the vast amount of Commission's work does not pertain to this broadcasting licensing end of the thing, we have had here the situation where the only support for this bill has come from two or three special interests in the broadcasting field.

"No one has come in here from these communications companies and has said, 'You are not giving the communications companies enough attention.'

"The only suggestion that we are not giving telephone and telegraph and cable enough attention has come from the broadcasters, who apparently want less attention, and I think it is of considerable significance to the bill to effect a basic reorganization of the Commission and in the main to accomplish the purported objectives of giving attention to the common carriers has not been supported by a single common carrier.

"Mr. McGranery. Is there anything in this bill that is designed to in any way interfere with the common carriers?

"Commissioner Fly. Pardon me.

"Mr. McGranery. Is this bill designed in any way to interfere with the common carriers?

"Commissioner Fly. I think that it may impede the work with the common carriers somewhat, sir. I will discuss that more in detail a bit later.

"Mr. McGranery. Right at that point, do you not think it might be fair to say that inasmuch as it does not affect them, that they have no interest in it?

"Commissioner Fly. Well, I think it comes with ill grace on the part of two or three broadcasting interests to make the point that that part of the service should be improved and that more attention should be given to it.

"Now, the thing that the broadcasters, those who have complained, or complaining about, is not too little attention. You know that, Mr. Congressman. They are complaining about too much attention.

"Mr. Sanders. Mr. Chairman.

"The Chairman. Mr. Sanders.

"Mr. Sanders. I might clarify that situation there, as author of the bill. With the exception of paragraph 7 of the bill, the balance of the bill was a recommendation of the Federal Communications Bar Association, which reached my desk, and I presume reached the desk of the other members of the committee.

"I was told by the members of the executive committee who discussed the matter with me that included in the Bar Association were members of the common carrier industry as well as the broadcasters.

"Now, the opinion of the witnesses who have appeared before the committee, of course, had been made known to the committee; but the recommendations of procedure and appeal largely, it seems to me, are technical matters that would come more to the attention of the attorneys involved than that of the lay witness.

"I merely mention that, because that was the genesis of this particular bill.

"Commissioner Fly. I think that I ought to make it clear, sir, that the Association is dominated by the broadcasters and the people who appeared here are primarily interested in broadcasting, and no communications company has appeared either directly or indirectly, in so far as I know.

"Mr. Chapman. Mr. Chairman.

"The Chairman. Mr. Chapman.

"Mr. Patrick. I want to ask Mr. Fly a question there.

"Mr. Chapman. Very well.

"Mr. Patrick. I do not understand him. As I understood, you said that the Bar Association is largely dominated by the people who are interested in broadcasting, and that that is the force, and particularly a certain special force in broadcasting, that has come forward here, and no representative of a communications company as distinguished from broadcasting, either directly or indirectly, or a representative of such company, has appeared here in support of the bill.

"Mr. Chapman. Mr. Fly, will you name those two or three special interests which you just referred to so they may go into the record?

"Commissioner Fly. Why, I should think perhaps the leader is Columbia Broadcasting System. I think that the bill also has the support of the National Broadcasting Company, and of the related organizations and the National Association of Broadcasters.

"Mr. McGranery. Mr. Chairman.

"The Chairman. Mr. McGranery.

"Mr. McGranery. There is nothing very feeble, Mr. Fly, about the telephone company or the Western Union. If they felt that this bill was designed to affect them in any way, I do not think they need either you or I to tell them to come in here and make a statement.

"Commissioner Fly. No, sir; but it ill behooves the broadcasters to put on a false front and come in here and make the statement on behalf of the communications companies. As you say, the telephone and telegraph companies are able to take care of themselves. I agree with you.

"Mr. McGranery. But, this has been spread around on all sides, as far as I can hear.

"Commissioner Fly. Now, to show the relative importance of this thing, since this subject has come up, you have got the Bell

(Continued on page 334)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

SANDERS HEARINGS

(Continued from page 333)

System here in this field. There must be a plant valuation in that field running into the billions of dollars—about five billion dollars, as I understand it. Now, the entire plant investment in the broadcasting industry is not over 40 million. You can take the gold dust that is involved here, in the broadcasting industry, and blow it into the eye of the American Telephone and Telegraph Company, and it would never squint.

"Now, these fellows blow a big wind, and they make a big noise, but so far as their genuine importance in the field of regulation and in the field of communications is concerned, they do not compare.

"Mr. McGranery. You say 'these fellows come in and blow.' Who do you mean by 'these fellows'?

"Commissioner Fly. I have named them.

"Mr. McGranery. Well again, I mean, I would like to keep the record straight.

"Commissioner Fly. Well, you have seen them appear here. I do not know if I can name all of them that I would put in that classification, but certainly the three groups, who do blow the big wind, make the big noise and exert a strong political pressure are the Columbia Broadcasting System, the National Broadcasting Company, and the so-called National Association of Broadcasters.

"Mr. Kennedy. Mr. Chairman.

"The Chairman. Mr. Kennedy.

"Mr. Kennedy. Well, I take it from your statement, that you see no need for this bill whatsoever.

"Commissioner Fly. Well, I should rather give you a more orderly discussion of it, Mr. Kennedy. I will be glad to do that.

"Mr. Kennedy. I mean, you are so descriptive, and so emphatic a moment ago, that I do not know why you should require more than one word to sum it up, and is that 'no.'

"Commissioner Fly. I thought perhaps if the committee is going to take my word at all, they would want a rational explanation of what is in my mind. I do not know, though, whether you will take my word, but I doubt whether you would take it just on my say so, and if I cannot give you a logical line of reasoning here and convince you why, I still will not have succeeded with you.

"Mr. Kennedy. I know that the committee has unlimited time, but still I do think it would prefer a direct answer.

"Commissioner Fly. And, what is your question, sir?

"Mr. Kennedy. I think I asked you—at least I expressed the opinion after listening to your description of the proponents of this measure, that you can see no need for the proposed legislation.

"Commissioner Fly. I think there might be the need for some specific legislation; but not legislation that follows the basic philosophy of this legislation and this is bound to be a controversial piece of legislation. It has already consumed a vast amount of time of an agency that is devoting itself to war work, 24 hours a day, and not eight hours a day, and I do not think that this is the time to disrupt a war agency and put it through that sort of an extended controversy and affect the basic reorganization of the thing at this juncture.

"Mr. Chapman. Mr. Chairman.

"The Chairman. Mr. Chapman.

"Mr. Chapman. Mr. Fly, have you recommended, or do you intend to recommend, any remedial legislation?

"Commissioner Fly. I could, sir; but frankly, I think that apart from getting certain specific things like Major Bulwinkle suggested here the other day, that will enable us to do a better job on the war, the best thing to do is to leave this problem along, because whatever I suggest, these other gentlemen are not going to agree to, and I just do not think that the Congress and the agency ought to devote their time to that in a period of stress.

"I could make specific suggestions, if the committee were in a mood to go ahead with controversial legislation, and I would do that.

"Mr. Sanders. Mr. Chairman.

"The Chairman. Mr. Sanders.

"Mr. Sanders. Did I understand you to include the Mutual in the very edifying classification of the networks, or do you exclude them from that classification?

"Commissioner Fly. All of the big broadcasting companies, of course, make a big noise and blow the big wind.

"Now, I do not exclude any of the big broadcasting interests from that.

"Now, let me explain there: You all know how close broadcasting is to public opinion. Here we have, for the first time, the only practical mechanism for what has been to this point a more or less—I say more or less—theoretical right of free speech. But now we finally have gotten away to the employment of free speech and to exert an influence upon the local public opinion, and upon national opinion.

"Now, the man who has his hand around the throat of that transmitter and can control speeches across this country, can exert a mighty big influence, far beyond that of any other industry with a comparable investment or comparable physical operation.

"Now, as I understand the Mutual people did not support the bill, but in the main, it is not merely a theory of mine. It is an obvious fact that these people come in there and on special interest exert an influence far beyond their normal size, and they get that influence, gentlemen, from the grants which you and we give them; and I do not think you want them to come back and control the government through that grant of power.

"Mr. McGranery. Mr. Chairman.

"Mr. Sanders. Mr. Chairman, I have not finished.

"Mr. McGranery. Excuse me.

"Mr. Sanders. I gather then from your remarks—of course we all agree as to the power of the radio—but I gather from your remarks that your failure to include the Mutual in naming the broadcasting companies, when you were classifying them so illuminatingly a moment ago, was purely inadvertent and you would include them in the same classification?

"Commissioner Fly. No, sir; I include them in the same general description. Let us make that clear. All of the general description applies, in proportion to size. It applies just as much to Mutual as it does to the other networks. The reason why I did not name Mutual in support of this bill when Mr. McGranery asked me that question is because I understand that they have not supported the bill.

"Mr. Chapman. Mr. Chairman.

"The Chairman. Mr. Chapman.

"Mr. Chapman. Mr. Fly, you referred to these gentlemen—

"Commissioner Fly (continuing). I just want you to understand, gentlemen, that I have no brief for Mutual here. Mutual will disagree with me tomorrow, and they will be in here demanding a change in the law. That is the history of this industry. Every time one of these big broadcasters runs into something he does not like—this has been true up to this point—they run to Congress and start investigations, and what not. I spend half of my time before Congressional committees—not half, but a tremendous lot of my time, gentlemen.

"Mr. Chapman. Mr. Fly, you referred to the great power in the hands of these broadcasting companies through their ability to influence public opinion, and you referred to them as having their hands about the throat of this broadcasting. Do you not think also that a commission having control and virtually the power of life and death over these broadcasting companies, exerts a power and has a strangle hold far beyond any power that was ever intended to be granted here by Congress in creating the Commission?

"Commissioner Fly. If this Congress ever granted such a power to the Commission, I would say, 'yes,' and I think that sort of power over a mechanism of free speech, that sort of power would be just as vicious in the hands of the Government as it would be in the hands of two or three monopolists, and private industry. I draw no distinction there. I think you are entirely right.

"If this Commission ever endeavored to exercise those controls over the contents of what goes out over these various networks, then I think there would be strong grounds for complaint, and I think this committee ought to do something about it.

"Mr. Patrick. Mr. Chairman.

"The Chairman. Mr. Patrick.

"Mr. Patrick. I do not know just how far you intend to extend the meaning of your statement as to these broadcasting companies controlling public voice. That is—

"Commissioner Fly (interposing). I will develop that in some detail, sir.

"Mr. Patrick. My observation has been—I had the idea—I may be away behind the moving herd—but I had the idea that broadcasting companies have been most liberal in lending their services to the public interest; allowing public questions to be discussed. I just never have gotten the idea that the broadcasting companies —I am not speaking for any one of them—but as a whole, had been trying to subvert or change the course of speech in the Nation. I have felt that any matter of public opinion—you can hear any of them and they will be giving considerable time to public service and to matters of public interest, and to helping to get matters before the public now during this war. I have been impressed by how much service they have rendered in allowing all these matters, without any cost to anybody but them, to be brought to the people. Any man in any remote section of this country knows what Uncle Sam is calling upon him for; knows where volunteers are needed; knows things that are being brought forth.

"It seems to me their service has been so fine that we ought to forget that whenever we are going into things of this kind.

"Commissioner Fly. I think that is true, sir. I think on the whole that the broadcasting industry has done a very good job. I think they have done a good job in terms of bringing in the news; bringing it in from remote international points, for example, and in terms of delivering the news and the information—now, omitting entertainment and that sort of thing to the people. I think that they have entered into this war in the same spirit that all the rest of us have entered into it and that they have made great contributions to it, and I think that you will find the rarest of instances where any of the broadcasters have been other than generous in terms of giving those facilities for war purposes.

"Mr. Patrick. But, have they been trying to control public speech?

"Commissioner Fly. Well, it is—let me put it this way, sir. As the scheme is presently operated, they must control it. They do control it.

"Mr. Patrick. Of course they have to sell the time that they do sell. They have to sell enough time to exist and yet have control over their own commodity, sufficiently to be able to make it work, but other than that—I just do not want to get into the place where we are forgetful. They must have a method for living. All of us have to have that.

"Commissioner Fly. Yes, but you asked me about control and I say yes, the control is necessarily there, and the only issue we have on control comes down to the very simple point. Now, the control must be in the hands of the broadcasters and it cannot be elsewhere. You are entirely right on that. And, the only issue is whether all of the control shall be on strings pulled from New York, or whether there will be certain freedoms of control left to the individual station operators, who operate the 900 stations, and owners and operators throughout the country. Now, that is really the main problem.

"Mr. Simpson. Mr. Chairman.

"The Chairman. Mr. Simpson.

"Mr. Simpson. Mr. Fly, do you find a connection in your judgment between the opposition, apparent opposition to the Commission on the part of the broadcasters; do you find any connection between the issuance of certain regulations of the Commission in the past year and that opposition?

"Commissioner Fly. Oh, yes, I think their support here is motivated by the objections to those regulations and those regulations have been up before the committees of Congress on a number of occasions, and we have had very extensive hearings on them. The promoted investigations before the Senate Interstate Commerce Committee on that specific subject. We have had very extensive hearings on it before the Senate committee.

"Mr. Simpson. And those regulations, as I understand it, are not in effect today?

"Commissioner Fly. No, those regulations are not in effect today. They are in litigation. They are pending, after a recent decision, in which the Supreme Court held that that court had jurisdiction, they are pending now before a special Three Judge Court in New York, and I imagine will be adjudicated in the Supreme Court during the next term. So, so far as that problem is concerned, and as I say, that is the thing that has brought those people here, now, so far as that problem is concerned, as to whether or not it is within the scope of the law; whether or not they are outside the bounds of reason and ration, and that sort of thing, will be finally decided in the course of months by the courts.

"Mr. Simpson. I have concluded, perhaps erroneously, that you are pretty much of the opinion that this legislation should not be considered today, and in general, that the status quo should be continued for the duration.

"It occurs to me, and I merely observe, that perhaps the withdrawing of those regulations will lessen considerably the agitation for legislation which I recognize might not be desirable at this time.

"Commissioner Fly. That would lessen half of the agitation—that is perhaps the biggest cause for the agitation. But I believe, perhaps, a simpler and a more wholesome method of settling it would be if those two networks were to set down and write a one-paragraph letter to their affiliated stations stating that their affiliation contracts are to be construed in accordance with the rules and regulations of the Commission, and that would settle the whole business. It would take about one minute to get that letter off.

"Mr. Simpson. Of course, that is giving you the whole cake and not oppose the regulations.

"Commissioner Fly. I understand that you are suggesting that we throw the cake the other way. I want to make it plain——

"Mr. Simpson. I understand, Mr. Fly, your suggestion is that for the duration of the war the matter be left more or less in status quo.

"Commissioner Fly. Let me make this clear sir. These rules were issued more than a year ago and before this war started. The investigation—I did not originate this investigation—had its origin in Congress, on the floor of the House and on the floor of the Senate, and that investigation started four or five years ago, and hearings were extended over many months, and before a committee of Commissioners, and reports were made, those representing the networks appeared there and testified, over thousands of pages of record, and the proceedings went through various stages, various arguments, filing of briefs, and that sort of thing, and the final rules of the Commission were issued on May 2nd of last year, which was long before the war started, and the Commission has been ready to put an end to the problem from that day on; but these other gentlemen wanted to try it on a number of grounds. They tried it before two or three committees, including the Senate Interstate Commerce Committee and then they came here to try it again, and in the meanwhile they are trying it in the courts also.

"Mr. Kennedy. Mr. Chairman.

"The Chairman. Mr. Kennedy.

"Mr. Kennedy. Mr. Fly, you referred to New York about the question of whether or not the control would rest in New York or with the 950 stations, or whatever number you give. What did you mean by that? Will you amplify that statement?

"Commissioner Fly. I want to give the balance of this problem later, if the Committee is interested in it; but I will answer that question, sir. The New York corporations, particularly the two, the Columbia and the NBC, have exclusive contracts with all of their affiliated stations and they control all, or all of the desirable time of the stations by exclusive options and in that way——

"Mr. Kennedy. Can you answer the question?

"Commissioner Fly. I want to answer it.

"Mr. Kennedy. It seems to me that you can answer that with one word.

"Commissioner Fly. And in that way, that is what New York has to do with it. They have control over what goes out over those local stations.

"Mr. Kennedy. Then, the point that you are referring to in connection with New York is the fact that the main offices of these companies are located in New York.

"Commissioner Fly. That is where they are run from, sir.

"Mr. Kennedy. All right. Is it not a fact that one of the greatest forces in controlling public opinion is the voice of the commentator who speaks many times a day, and so forth?

"Commissioner Fly. I think he is an important factor; yes, sir.

"Mr. Kennedy. Well, is it not your opinion that those men speak freely and express the views of the press and the reports of the hour rather than the views of any individual group or station owners?

"Commissioner Fly. Oh, I think in the main that those are responsible, independent commentators.

"Mr. Kennedy. So there should not be any fear of public opinion being throttled when you have commentators such as we have, who have been getting out the news.

"Commissioner Fly. Well, that is one pocket of this whole problem, and, of course, if you are going to have a dictatorship, it is not an entire answer that for the moment, if you could make the answer, and there are some arguments on that, if you could make the answer that you have a benevolent dictatorship. You still have not justified it because I do not think that this great essential in our democracy, this system of free speech, should hang by such a narrow threat as the continuance of benevolence from New York.

"Mr. Kennedy. I do not get your point. If we have these outstanding commentators addressing the public day in and day out, what effect would New York have upon that, upon their view? Do you not believe that they are free to express their own views on current events?

"Commissioner Fly. Well, there are instances, I am sure, where they have not been free. Some of the commentators have been taken off of the air by the networks.

"I think on the whole they have done a very good job and a very wholesome job.

"Mr. Kennedy. I think that the President of the United States paid them a great compliment the other day and that that would be a complete answer to your question, the very fact that he picked out a commentator to place at the head of this division down here it would indicate that the President has confidence in that type of person.

"Commissioner Fly. It would indicate that the President had confidence in Elmer Davis, and so do I.

"Mr. McGranery. He is not owned by the networks?

"Commissioner Fly. He is not owned by Columbia, if I know Elmer Davis.

"Mr. Sanders. Have you finished?

"Mr. Kennedy. Yes.

"The Chairman. Mr. Sanders.

"Commissioner Fly. Even I practiced law for a while on Wall Street.

"Mr. Sanders. You do not want us to gather from your remarks, where you said a while ago that people are running down here to Congress, that you think that there is anything wrong with the public requesting Congress to investigate the necessity for remedial legislation?

"Commissioner Fly. Oh, I would think this, sir, that you are dealing there with an awfully important right of individual citizens to petition Congress, and I think you would certainly be very slow in cutting down on that right to do that. I would think this, that realistically, when the vice president of one of these big networks comes in and talks to you, that he is not talking with you in a personal capacity simply. He is wielding a much greater influence than he is as John Doe, who originated in Iowa, or in North Dakota, or Brooklyn, and you know that.

"Mr. McGranery. You mean that he might deny you some time on his network if you made application for it; is that it?

"Commissioner Fly. I mean that he speaks with a great deal of authority, far beyond his personal abilities and fancies.

"Mr. McGranery. Well, I should think, Mr. Fly, that the integrity of the men I have met in Congress would not justify your remarks.

"Commissioner Fly. They are a fine bunch of people. They are a very smooth and effective bunch of operators. I admire them. They are really very good men.

"Mr. Kennedy. Are you referring to the Congressmen or the broadcasters?

"Mr. Sanders. Pursuing that same inquiry further, Mr. Fly, you do not mean for us to gather from your remarks that you believe Congress should consider legislation only which is initiated by the Federal Communications Commission or the other bureaus, would you?

"Commissioner Fly. Oh no; I hardly think that I would go that far, to that extreme. I should think that it ought to consider suggestions for legislation from all sources, but when you come to appraise the sources, I think you ought to be realistic.

"Mr. Wolverton. Mr. Chairman.

"The Chairman. Mr. Wolverton.

"Mr. Wolverton. May I ask a question right there?

"Commissioner Fly. Yes, Mr. Wolverton.

"Mr. Wolverton. You have just stated that we should give due consideration to the sources that make the recommendations. Any one who has served on a Congressional committee is conscious of the fact that those who have special interests to serve appear before the committee, and I do not take it that that is derogatory.

"Commissioner Fly. No, I do not think so, sir.

"Mr. Wolverton. I think that is truely American.

"Commissioner Fly. I think so, too.

"Mr. Wolverton. The only point for the committee to consider is whether their recommendation is right or wrong, taking into further consideration the interest of the person who made the suggestion.

"Commissioner Fly. I entirely agree with you, sir.

"Mr. Wolverton. In other words, that is merely weighing the problem. On the other hand, I hope I will not be misunderstood in what I am about to say. The amount of credit that you give to an individual expressing opinion depends somewhat upon the background of experience of the person who makes the recommendation or the suggestion. I have been very much impressed with the character of the witnesses who have appeared in behalf of this bill, from the standpoint of their ability to express opinions. The legal questions that have been raised have been well presented to this committee by Judge Burns. He represented Columbia, I believe.

"Mr. McGranery. Columbia, yes.

"Commissioner Fly. He is a good lawyer.

"Mr. Wolverton. And by Mr. Caldwell, who spoke on behalf of the Mutual.

"Each of those who have appeared on behalf of the companies, either from a practical or administrative standpoint, as well as those who have appeared from a legal standpoint, have seemed to have a background of experience that entitled them to express opinions and have a right to expect the committee to give some consideration to them.

"Now in order that we may have the picture just as complete as is possible, in order that this committee may be able to weigh the different suggestions for and against, would it be possible for you to give us a description of the background of the Federal Communications Commission, with particular reference to the individuals who hold the position of Commissioners, so that we might judge that when they oppose a suggestion or make a suggestion of their own, that we may know just how much importance to attach to it.

"Commissioner Fly. Yes, I think we could do that, sir, and I should be interested in developing that.

"While we are dealing with this one particular problem, I want to say—

"Mr. Wolverton. Pardon me for just a minute. How would you do that? Could you give us that information?

"Commissioner Fly. I will give you a biography.

"Mr. Wolverton. What?

"Commissioner Fly. I will give you a biography.

"Mr. Wolverton. Yes, that is what I had in mind.

"I would like to know, when a commission has power to exercise authority that has to do with freedom of speech, which is a very serious matter, whether that power is exercised by a commission or whether it is exercised by a broadcasting company, I would just like to know what the background and experience of the Commission has been so that we may appraise its standing; so that we may put its views, so to speak, over against the views of the others who have testified.

"Commissioner Fly. I think also, sir, you would be interested in the fact which, of course, is true, in all these commissions, and that is that the backbone of the technical, the expert work, is done by the staff.

"We have in the many hundreds of employees virtually no one—that is, apart from the clerical staff and so on—virtually no one except competent technicians—a department headed by the chief engineer; a department headed by a chief accountant; a department headed by a chief lawyer, and on down throughout those staffs, are men who are experts in those fields. And, of course, those are the people upon whom the Commission must rely for constant consultation; for conferences and reports and studies, and for assistance in hearings and that sort of thing, and I might say that in this particular instance, Mr. Wolverton, that the Commissioners as a whole have literally spent years of time studying, having these experts from the various sources, and particularly from these network sources, come before it and testify, and the process has been carried on through the years, and a huge record has been built up of that expert and informed testimony, and in addition to the work of the staff, in cooperation with the Commissioners in giving that personal attention, we had the assistance; the advice; the arguments, the briefing of counsel and of everybody for the networks.

"Now, this is not something you see that comes out over night that some one suggested. And, as I say, this was going on for years before I got there. In no instance did anyone move in there with the assumption that he knew all about it.

"What they did was move in there with a committee of Commissioners; with a staff of expert technicians, and study this problem from the ground up, and take their information, their advice and their arguments from those people who know the subject best, and finally, after years of that process came forth the report.

"Mr. Kennedy. Mr. Chairman, just one question.

"The Chairman. Mr. Kennedy.

"Mr. Kennedy. Can you tell what percentage of the work of the Commission is devoted to radio and broadcasting?

"Commissioner Fly. Is devoted to broadcasting?

"Mr. Kennedy. What part of your whole set-up; would say five per cent, ten per cent, twenty per cent, or what?

"Commissioner Fly. Well, in view of the war work—

"Mr. Kennedy. Well, forget the war work and let us go back before the war. I mean in times of normal operation.

"Commissioner Fly. Oh, normally I would say that the broadcasting problem enveloped 60 per cent of the work; maybe more.

"Mr. McGranery. Mr. Chairman.

"Mr. South. Mr. Chairman.

"The Chairman. Mr. McGranery.

"Mr. McGranery. Mr. Fly, while we are talking about the right of free speech, do you have any specific instance where that right was transcended, where there was any violation?

"Commissioner Fly. Well, we have so many complaints on that score, Mr. McGranery.

"Mr. McGranery. I mean, after—

"Commissioner Fly (interposing). I got a complaint from a Senator just the other day. And sometimes those complaints have real merit and sometimes they do not.

"Now, I would be reluctant to take those and to spread them out. I could prepare a statement for you, if you wanted it, of instances that have raised that question seriously.

"Mr. McGranery. Well, of course, I would not be interested any more than you would be in the right of complaint; but the investigations, and the reports, or the conclusions after you followed them up. Is there any specific case where that complaint has been justified?

"Commissioner Fly. You mean in connection with this network investigation?

"Mr. McGranery. Yes.

"Commissioner Fly. That was not—that rather had its origin in terms of the monopolistic control that was exercised by the two dominant companies. That was what the Congress drew attention to and what the Senators drew attention to, and this is what it urged the Commission to look into.

"Now, as to your relation to free speech, that comes in terms of the controls exercised broadly across the country by the limited number of people. Now, we have had numerous complaints, Mr. McGranery—some good and some very bad. I would not like to air them. We have had complaints. Take the sort of a case that must arise: We had a complaint from the Communist organization during the last campaign and beginning with that, we got numerous complaints of a less startling character.

"Mr. McGranery. But, is there any, after you complete your investigation of the complaints, is there anything that would indicate to the Commission that some of the networks had violated the right of free speech?

"Commissioner Fly. Well, the Commission arrived at no judication of that point and it was not essential to the Commission's report that it do so. As a matter of fact, the essential thing is that those controls are unnecessarily concentrated and lodged in single hands, and it has never been the policy of the Congress to support enterprises so concentrated and controlled, except where by legislation you have granted the monopoly for good reasons."

In a colloquy between Chairman Fly and Congressman Brown the Chairman said:

"In this field of radio . . . the experts are pretty much all, let us say, run of the mill 'experts' who are mighty good men, but you take the vice presidents of these national networks, they would not, they really would not know a relay circuit or a certain type of transmitter, if they met it in the street."

Representative Hinshaw sought to bring out the differences between the regulation of public utilities and broadcasting.

"Mr. Hinshaw. I see no similarity in the business or management of the two different systems, one being a public utility and the other a private industry

"Commissioner Fly. I know, but the point I am making, sir, is these decisions are not based to any exclusive degree and particularly not to any predominant degree, upon the business aspects of the thing.

"Mr. Hinshaw. You are not interested in that?

"Commissioner Fly. You are going to use a frequency, for example, for relays for broadcasting, and it is not a business question. That is an engineering question.

"Mr. Hinshaw. I am not discussing the engineering aspect of it.

"Commissioner Fly. But, we have to live with it and that is what the decision is based upon.

"Mr. Hinshaw. Well, decisions apparently are being based upon other things than engineering questions, upon business practices.

"Commissioner Fly. Of course, we try to consider all factors; but in the main, on this great sweep of the problems, including broadcasting, the main considerations are engineering in character.

"Mr. Hinshaw. The main considerations, so far as the broadcasting angle and broadcasting is concerned, yes; but so far as these regulations which have been proposed are concerned, that has nothing to do with the technical aspect of it.

"Commissioner Fly. Well, the networks case is something quite apart.

"As I say, I have tried that case before in two or three Congressional committees already and it is being tried in the courts today and——

"Mr. Hinshaw. Well, do you think that the Commission should be concerned with the business aspects of the broadcasting systems?

"Commissioner Fly. Well, I would want you to define 'business'; but if you are suggesting, sir, that the Commission should have nothing to do with any of the business of broadcasting systems, I should say that would be a very, very unfortunate thing.

"Mr. Hinshaw. But what part of the business of the broadcasting system do you think that the Commission should be concerned with?

"Commissioner Fly. Well, let us take one angle. Have you read that monopoly report, sir?

"Mr. Hinshaw. Have you? No, I have not read it at all.

"Commissioner Fly. I suggest that it is good reading.

"Mr. Hinshaw. It is good reading. I understand that there are 17,000 pages in it.

"Commissioner Fly. No, the report is not that long.

"Mr. Hinshaw. You mean the report that you made?

"Commissioner Fly. Yes, sir.

"Mr. Hinshaw. Yes; I have read a part of it.

"Commissioner Fly. There is something I think very essential to be done in the public interest. I do not think we can promote through the licensing process the monopolistic conditions in the industry and in response to your question, I would say that a thing like that must be done; either the Commission must do it, or somebody else must do it.

"Mr. Hinshaw. Who else might do it, besides the Commission?

"Commissioner Fly. The Department of Justice has moved since the Commission moved under the anti-trust laws.

"Mr. Hinshaw. Do you not think that it might be a proper place for it?

"Commissioner Fly. I think that is the proper place for it, sir.

"Mr. Hinshaw. Do you not think it is also the province of the Commission to——

"Commissioner Fly. Pardon.

"Mr. Hinshaw. Do you think it also the province of the Commission to enter into that as a trust case?

"Commissioner Fly. I think the mandate of the statute is clear, sir. If you read the monopoly provision of the statute, I think you will find that function was laid down upon the shoulders of the Commission.

"There was great fear of monopoly of this field from the very outset and when you gentlemen wrote the legislation here you took extraordinary steps to avoid that.

"That is in the Communications Act as distinguished from the anti-trust laws.

"Mr. Sanders. Mr. Chairman——

"The Chairman. Mr. Sanders.

"Mr. Sanders. That raises an interesting question there, Mr. Fly. Would you not have a great deal of confusion if in some particular case, if your Commission decided one way and the Department of Justice decided another? Do you not think that as a matter of practice, it would be better to leave the monopoly question, we will say, in the hands of one department?

"Commissioner Fly. I do not think, sir, that we ought to be left where we are required to build up the monopolies just in order to throw the duty upon the Department of Justice to tear them down, and I do not think the licensing function of the Commission should be utilized except in terms of public policy—and quite apart from the provisions you have written into the statute, I do not think this licensing provision should be utilized to build up monopolies which are unlawful, and I think that if the Commission used that licensing power to build up those monopolies, then something ought to be done about the Commission.

"Mr. Sanders. I would take it for granted, of course, that your Commission would follow the rulings of the Department of Justice. You certainly would obey the law.

"Commissioner Fly. The Department of Justice does not issue rules, sir. The Department of Justice tries cases, and I must say that the mills of the gods grind awfully slowly in elucidating the various specific problems in the various industries, and I should think it is conceivable that you might wait a long time for detailed clarifications in that field.

"This measure has some of the benefits of the Federal Trade Commission Act, and that is the very reason that the Trade Commission Act passed, so that some degree of definitions could be brought into the field of unfair trade practices, and that sort of thing.

"Mr. Sanders. I thank you for your information about the Department of Justice not issuing rules. Of course I said nothing about the Department of Justice issuing rules. I said that we could take it for granted that your bureau and the other departments would follow the rulings of the Department of Justice, which of course are disclosed in the policies that they enunciate in the trial of these cases.

"Commissioner Fly. That is just what we have done, sir.

"Mr. Sanders. I gather from your remarks, that the Department of Justice took action after you had. I thought that you said after you moved, the Department of Justice moved.

"Commissioner Fly. Yes, sir; but I have reason to believe; I had no opinion from the Attorney General, but I had reason to believe that these provisions were violations of the anti-trust laws, and apparently the Anti-trust Division thought so.

"Mr. Sanders. But, you moved first.

"Commissioner Fly. Pardon me.

"Mr. Sanders. You moved first?

"Commissioner Fly. We have somewhat different fields."

"Mr. Wolverton. I am inclined to think sometimes, Mr. Fly, after reading some of the decisions that have been made, or policies formulated by some of the bodies that have been created by acts of Congress, after hearings by this committee, that it might be helpful sometimes if the members of those Commissions spent more time with the committees of Congress than they do. They might understand some of the intentions we have.

"Commissioner Fly. I think that is a good idea, sir, and I must say that I have enjoyed every minute before these committees. I have no complaints to make."

Labor

KMOX STRIKE

A "wildcat" strike by I. B. E. W. members took Station KMOX, St. Louis, off the air from 3 p. m. until 8 p. m. on Tuesday. The strike resulted from the refusal of the I. B. E. W. members to permit a woman to learn monitoring, although CBS and the I. B. E. W. have a contract which permits the training of a specified number of women. The strike also violated the arbitration clause of the station contract. The dispute is now in arbitration.

SUPREME COURT DECISIONS

The significance of the opinions of the Supreme Court in two recent decisions was pointed out in a statement issued by L. Metcalfe Walling, Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor in response to inquiries.

"In *Overnight Motor Transportation Company* v. *Missel,* the Supreme Court made it abundantly clear that the overtime benefits of the Fair Labor Standards Act are limited neither to that marginal group of workers who are paid wages at or near the minimum rates prescribed in the Act, nor to employees who happen to be compensated on an hourly basis. The Court held that salaried workers who are employed in interstate commerce or in the production of goods for interstate commerce must be compensated for weekly hours in excess of 40 at not less than one and one-half times their regular rate of pay, and that the regular rate for this purpose is to be computed through dividing the weekly wage by the number of hours worked in the particular week, where the employment contract is for a fluctuating work-week. This is the method of computation which has heretofore been approved by the Wage and Hour Division.

"However, in *Walling* v. *A. H. Belo Corporation,* the Supreme Court ruled by a 5 to 4 decision that the 'regular rate' on which overtime must be paid could be fixed by a contract between the Dallas Morning News and its employees.

"It is expected that a considerable amount of litigation will be necessary before the contours of the Belo decision are fixed, since the Court stated that it could not 'provide a rigid definition of *regular rate* when Congress has failed to provide one.'

"I believe it only fair to warn that the Court in the Belo decision was passing on the particular state of facts before it and that generally the Division will continue to be guided by the broader interpretation contained in *Overnight Motor Transportation Company* v. *Missel.*"

The Solicitor of Labor and his staff have begun a legal analysis of the decisions with a view to guiding the Division in its formulation of an appropriate administrative policy insofar as this may involve a deviation from the advice heretofore given by the Administrator through interpretative bulletins.

In this connection, the NAB Labor Relations Department has started work on a revision of the pamphlet *The Wage and Hour Act: How It Affects a Broadcasting Station.* The third edition will be ready sometime this summer. The section on "guaranteed overtime" on page 8 of the second edition is now out-dated, as a result of the *Belo* decision.

The third edition also will contain a section on "Travel Time" and a clarification of the "Talent Fee" situation.

TRAVEL TIME

A great many stations still have some question about the computation of "travel time" under the Wage and Hour Act.

In brief, this is how it is done.

1. If an employee is sent out on a *one-day* assignment, his working hours start when he leaves and stop when he returns.

2. If an employee is sent out on an assignment of *more than one day,* he is to be paid a *normal day's pay* for each day he is away. If that normal day constitutes overtime, he must be paid time and one half.

Here is the text of the Wage and Hour Division's bulletin on this subject:

9. The problem of travel time, in relation to hours worked, arises in a great variety of situations and no precise mathematical formula will provide the answer in every case. The question is often one of degree; if the time spent by an employee in traveling is reasonably to be described as "all in a day's work," such time should be considered hours worked under the act.

10. As a general rule it may be stated that an employer should treat time spent by an employee during regular working hours in traveling pursuant to the employer's instructions as hours worked. If an employer requests his employee to do a job during regular working hours which requires the employee to leave the place of business, the traveling time of the employee should be included in hours worked, and this is true whether or not the particular job is within the employee's regular duties.

11. In many cases travel time outside of regular working hours is considered "part of the day's work" and, accordingly, should be treated as hours worked. Thus, an employee whose normal working day extends from 8 a. m. to 5 p. m. may be requested by his employer at 5 p. m. to make one more outside call which involves 2 hours of traveling time (to get to the place where the work is to be performed and report back to the office) and active labor of 1 hour. In such case the employer may not disregard the travel time in computing the number of hours worked by the particular employee; the employee's working day would extend from 8 a. m. to 8 p. m. In this case the employee engages in active labor for his employer after the close of his regular working day and prior to the commencement of his next regular working day, and his activities between 5 p. m. and 8 p. m. are, under the circumstances, reasonably to be considered as a con-

tinuation or extension of his normal working day. The same results, of course, would be reached if the employer requested his employee to report for work 2 hours earlier in the morning in order to make the one extra call.

12. If a crew of workers is required to report for work at a designated place at a specified hour and all the employees are then driven to the place where they are to perform work, the time spent in riding to such place should be considered hours worked. Similarly, the time spent returning from the place at the close of the day's work should be considered hours worked. In some cases, however, the employer requests his employees to report for work at a specified hour at the place where the work is to be performed instead of at the employer's place of business. In these cases the employee's working time may be considered to begin at the time he reports for work, unless the traveling time required in order to reach the place where the productive work is to be performed is unreasonably disproportionate to the normal traveling time required in reporting for work at the headquarters of the employer. No precise formula will solve this type of situation. What is unreasonably disproportionate depends upon the facts in the particular case and reasonable standards agreed upon between the employer and employee will be accepted for purposes of the act.

13. In some cases an employee is required to travel continuously for more than a full working day during which time the employee is not engaged in actual productive work for his employer. For example, an employee whose regular working hours extend from 8 a. m. to 5 p. m. may be required to spend 2 or 3 days and nights of continuous travel to reach a place where he is to perform assigned work. In such case, as indicated generally in paragraph 10, time spent traveling during the regular working hours should be considered hours worked. Travel time outside of regular working hours need not ordinarily be considered hours worked. If, however, the employee is required to travel on Saturdays, Sundays, and holidays, he should be considered as working on those days for the number of traveling hours between his established starting and stopping time on other days of the week. In determining whether the foregoing is applicable, factors such as the length of time required to reach the place where the assigned work is to be performed, whether the employee is given adequate time for sleeping and relaxation, the time that the employee is required to report for actual productive labor, etc., are very important.

14. Inquiries have been received with respect to employees who are required to travel continuously for several days and who perform active labor while traveling. Thus, for example, when cattle or poultry, etc., are sent to market by rail, an employee of the shipper is required to travel on the train in order to water and feed the stock en route. In other cases an employer who ships machinery by train to a distant customer requires an employee to oil the machinery en route and otherwise to see that it arrives in perfect condition. The employee generally rides in the caboose with the train crew. In each of the foregoing cases, the employees are subject to call for 24 hours a day, but time required for active work by such employees would ordinarily be much less. The employee generally has a substantial amount of time for sleeping, eating, relaxation, etc. No precise formula will decide this type of case and any reasonable agreement entered into between the parties or established by custom and usage which takes into account the amount of time required for active labor by the employee and the fact that the employee is subject to call for 24 hours a day, will be respected by this Division in its enforcement policy.

ENGINEERS "PROFESSIONALS"?

A federal district judge in Puerto Rico has held that a licensed radio engineer was a professional employee and, hence, not subject to the overtime provisions of the Wage and Hour Act. (Schmidtke vs. Conesa, May 15, 1942.) In making his decision, Judge Cooper pointed out that he was unable to find any precedent in point.

The Wage and Hour Division has advised the NAB that it believes radio engineers, as a group, clearly are *not* professionals. Whether the Puerto Rico case will be appealed has not been determined.

COST OF LIVING

After 19 months of steady increase, the cost of living dropped slightly between May 15 and June 1.

The Labor Department reports that the cost of living on June 1 was 10.8 per cent higher than it was June 15, 1941, and 15.9 per cent higher than its 1935-39 average.

Sales

SALES MANAGERS EXECUTIVE COMMITTEE APPOINTED

In addition to John M. Outler, WSB, whose appointment as chairman of the NAB Sales Managers Executive Committee was announced last week, the following have been named to serve on the committee for the coming year by President Neville Miller:

Frank R. Bowes, WBZ, Boston, representing large stations; William Malo, WDRC, Hartford, representing medium stations; Dietrich Dirks, KTRI, Sioux City, Ia., representing small stations, and Don Davis, WHB, Kansas City, representing Mutual-affiliated stations. Representatives of the other networks have not yet been named.

Bowes succeeds Outler as the large station representative, and Malo replaces E. Y. Flanigan of WSPD, Toledo, for medium stations. Dirks, who served part of last year's term as the small-station representative, was reappointed for a full term. Davis replaces Linus Travers of WAAB, Boston, as the Mutual-affiliate choice. As announced last week, Outler replaces Eugene Carr, WGAR, Cleveland, as committee chairman.

Thanking the retiring members, President Miller pointed out that a large part of last year's work was devoted to setting up and shaping the activities of the Sales Managers Division. "I want to express my appreciation to those who helped make our last year's activities so successful," he said. "I know they must get some pleasure out of seeing the success, as they were among the 'pioneers' in this work and we certainly appreciate all they have done to help us in every way."

Although the date for the first committee meeting has not yet been set, Outler indicated that the committee would be called together soon with Frank E. Pellegrin, Director of the NAB Department of Broadcast Advertising, to draw up plans for the coming year's activities. Sales managers throughout the industry are invited to offer their suggestions for the year's program.

DEPT. STORE BUYS RADIO RIGHT

Following the historic Department Store Seminar at the NAB convention in Cleveland, industry sales opinion has crystallized on the major premise that department stores can be sold on radio advertising, provided a solid framework is built upon a thorough mutual understanding of each other's problems and possibilities on the part of the radio station and the department store.

The transcript of that Cleveland session is now at the printer's, and will be distributed to all member stations in about ten days.

In substantiation of the major premise, a letter was received June 16 by Frank E. Pellegrin from Walter E. Anderson, publicity director of J. N. Adam & Co., department store in Buffalo, N. Y. The account is given here because it may illustrate to many sales managers how the job *can be done*.

The story began at the NRDGA convention in New York City in January, 1942, when the NAB Sales Managers Executive Committee presented a round-table discussion on "Radio Advertising for Department Stores." Among the more articulate questioners during the question-and-answer session was Anderson, who listed numerous points on which he wanted specific radio information. Unable to answer all questions during the brief session, Pellegrin later wrote Anderson at length and also wrote the NAB members in Buffalo, suggesting they follow up along the lines indicated and that they review with Anderson the "Manual of Radio Advertising," which contained many of the basic radio facts on which Anderson had expressed doubt and interest.

The rest of the story can best be told by quoting Anderson's letter:

". . . Very honestly, I think the 'Manual of Radio Advertising' is a great job and it does contain the answers to many of the questions I raised at the NRDGA convention last winter.

"I'm sure you realize just as much as I do that it is one of the things the NAB should have done a long time ago. I know I wish I had had the opportunity of having more of this kind of information when we first started planning our radio programs. But it is going to be helpful to many newcomers to the radio advertising field, and I think the book will more than pay its way in the better understanding it will bring about between advertisers—and of course I am only talking about department stores—and stations.

"You will be happy to know that we have gone a long way toward solving our radio problem. We have a contract that calls for twenty-six dramatic programs, with full cast and orchestra, written and directed by the station according to our promotion and merchandise requirements and suggestions. We also have a fifteen minute program in the morning, Monday through Saturday; five-minute-afternoon program, Monday through Friday, and 1,040 spot announcements.

"Our fifteen-minute dramatic jobs have all been as fine as can be produced and have great institutional value for us. I think you know something about our war bond program and if I am not mistaken, either Mr. Meybohm or Mr. McCarthy said you heard it. This is a perfect example of what Herb Rice has been turning out for us consistently. On this particular program I just got the idea of building a program for selling War Stamps and Bonds, sketched out a few simple ideas for Rice, told him what we were going to do to promote the program, and he went to work. He certainly deserves a lot of credit.

"The morning and afternoon programs still aren't right, but they are considerably improved. We are now working on a change for our morning program; in fact have a sample program written, with a man commentator, 'J. N. Adam's Home Companion' and his secretary to act as kind of stooge. (Why do department stores continue to use women when they have been proved wrong in the national field?)

"Before we put this on the air, we are going to do everything we can to pre-test it scientifically; we have chosen a list of 200 names, carefully selected from our charge accounts; have invited them to an audition this Friday, and will have them fill out questionnaires we have worked out very carefully with the Buffalo office of B. B. D. & O. I think we are on the right track, if we get the right response to the questionnaire, in testing the program in this manner, because I don't think there is a man living who can sit down, listen to a program and say 'That program is going to be successful.' . . .

"I am sending you several ads from some of our recent fifteen-minute programs that will show you the kind of promotion job we have been doing on them. I am also sending two ads on the Father's Day program that we put on the air at 7:15 last evening. No one can say we don't back up radio with all we've got.

"I would be very happy to get your reactions to all of this and any suggestions you might have to help us do a better job. . . ."

We think that the moral in this story pretty well writes itself. Here is a store, long groping for radio knowledge, which finally seems to be working its way solidly into radio with intelligent cooperation from local radio men *in whom it has confidence*.

This store's radio budget, compared with newspaper, is still probably small and there is no doubt room for much expansion, but the store is unquestionably moving in the right direction. The store's advertising manager is apparently now well grounded in radio and serious about it, and seems to be devoting the kind of attention and effort to radio that the medium deserves, and needs if it is to be used successfully.

Significant is his statement that "our morning and afternoon programs still aren't right." Complacency with radio, as with any other medium, is generally fatal.

Also significant is Anderson's plan to use a male commentator, and to "pre-test" the program as scientifically as he can with the aid of a good advertising agency. (This point was discussed at the Cleveland convention.)

Accompanying Anderson's letter was a sheaf of newspaper ads devoted to promotion of the radio programs, further emphasizing the point made at Cleveland that radio advertising, to be successful, should be backed up with all other possible forms of promotion, both internal and external, and carefully integrated into the store's complete advertising and publicity plans.

But please bear in mind that this is not a "success story" (although we have plenty such available on request). This store has not yet disclosed any unusual successes it may have had with radio. Rather, the story may serve other stations as a road-map to department store business, and certainly it gives weight to the pleas of the speakers at Cleveland, that if you want to sell department stores properly, first make sure that they are thoroughly grounded in the basic story of radio as an advertising medium, and that your station personnel has an accurate and intimate knowledge of the problems and aims of each individual store you wish to cultivate.

Then, instead of trying to sell a "ride on a vehicle" (quoting Barclay Newell), or "a lot of blue sky" (J. W. Petty), or "knocking competitors" (Edgar Rice), or "on a pay-as-you-go basis" (R. G. Meybohm), you will have a chance, as advocated by Meybohm and Bill Gillespie of KTUL, of establishing radio as a *basic advertising medium*, fulfilling only *its own proper function* in the store's *over-all promotion program*, and not subject to the variable whims of buyers and executives at the first sign of non-performance or failure to work constant miracles, and not with its neck stretched out for the axe as the first victim of retrenchment.

Resolutions Available on Per-Inquiry and Free Time

Per-Inquiry and Free Time requests, although apparently abating somewhat, still feed on the gullibility of some station managers, program directors, news editors, and conductors of homemakers' programs, as well as of some sales managers who still accept P-I, contingent, or guaranteed-return deals.

A strong resolution on this subject was adopted at the NAB convention in Cleveland. Copies of this resolution have been printed by the NAB Department of Broadcast Advertising, and are available to members free upon request. It has been suggested that member stations return to the senders these P-I and Free Time requests, accompanied by a copy of this resolution and a form letter from the station expressing its stand.

Among those reported this week were **The B-L Co.**, Atlanta, Ga., seeking per-inquiry deals for its medical products; **Guenther Bradford & Co.**, Chicago agency, seeking per-inquiry deals for its "Charm-Kurl" home permanent wave kits, and **Diener & Dorskind**, New York agency, with a variety of P-I offerings. The NAB has invited them to use radio on the basis of established rates.

War News

FOREIGN LANGUAGE CONTROL

On Friday, June 12, a meeting was held to discuss the project of the Foreign Language Radio Wartime Control Committee. The following were present:

Representing the Foreign Language Committee: Arthur Simon, WPEN, Philadelphia; Joseph Lang, WHOM, Jersey City; and, Harry Henshel, WOV, New York City. Representing the Office of Censorship: Harold Ryan and Stanley Richardson. Representing the NAB: Neville Miller, Paul Peter and C. E. Arney, Jr.

A thorough discussion of the activity leading up to the organization of the Committee was had. It was stated that in the form in which the Code was now written neither the NAB nor the Office of Censorship could wholeheartedly support it since it contained certain restrictive provisions and gave the Committee final determination of station policy.

As a result of the collective thinking the Code was revised. Arthur Simon, Chairman of the Foreign Language Radio Wartime Control Committee, has transmitted the Code to all stations carrying foreign language broadcasts and in his transmitting letter appeals for the unanimous support of all stations.

The Code follows:

Voluntary Code of Wartime Practices for American Broadcasters Presenting Programs in Foreign Langauges

Whereas the foreign language broadcasters of America have a unique opportunity and responsibility to make this channel of communication a positive force in the Victory Program of the United States of America and the United Nations; and

Whereas to achieve this goal it is recommended that the following voluntary code of wartime practices for American Broadcasters Presenting Programs in Foreign Languages be adopted;

1. The broadcaster will faithfully observe the spirit and letter of the Code of Wartime Practices for American Broadcasters issued by the Office of Censorship.

2. The broadcaster will continue to assume complete responsibility for the selection, content and presentation of all foreign language programs.

3. The broadcaster will carefully monitor and check all foreign language programs. A complete script will be obtained and approved in advance, and any deviation from the script will result in the program being cut and appropriate action taken. He will also give particular attention to remote broadcasts.

4. The broadcaster will examine carefully the background of all persons connected in any way with the preparation or presentation of foreign language programs. A questionnaire shall be filled in by all such personnel. All such personnel shall be fingerprinted. One original and copy of the questionnaire, fingerprints, and other pertinent information shall be forwarded to the Foreign Language Radio Wartime Control Committee for transmission to appropriate Government agencies.

5. No person will be employed whose record indicates he may not faithfully cooperate with the war effort.

6. Any broadcaster discharging an employee for failure or refusal to abide by this Code shall immediately notify the Committee.

7. The broadcaster will cooperate wholeheartedly with interested public and private agencies, and particularly with pre-democratic groups, in the selection of program material.

8. The broadcaster pledges adherence to the letter and spirit of this Code and will report violations thereof to the Committee as well as to the appropriate authorities.

9. The broadcaster will give particular attention to those programs known as "Block Time Sales."

10. All foreign language programs will continue to contribute to the war effort.

RADIO GOES TO WAR

In his presentation before the House Interstate and Foreign Commerce Committee, Neville Miller gave four illustrations of how radio stations had rendered unusual public service in connection with the war. We are quite sure there are many such incidents, and that accounts of them would be of interest to the entire industry.

Therefore, we are carrying in the Reports this week one of the illustrations given by Mr. Miller and will carry one in the Reports for the next three weeks. We hope you will read these and send in to the NAB an account regarding similar services rendered by your station.

RADIO ASSISTS IN WAR EFFORT

Daily the program managers of the stations and the networks are building into their program structure by various ways and means programs assisting the government agencies in the war effort. An incident in Iowa is typical. The local station set up a prize consisting of a $25 Defense Bond to be given to the child who collected or supervised the collection of the greatest amount of scrap metal for defense purposes. Between them all, the children collected enough scrap to build 57 light tanks. It was a great local event, and indeed a clever and sound promotion scheme on the part of the broadcasting station. A result produced by keen competition for the local audience.

To headlight the cooperation of radio with the armed forces, consider the episode which the United States Navy has gratefully recorded. When a squadron of its planes was trapped by fog off San Diego and unable to land, a radio announcer interrupted a program to ask all motorists in the vicinity to drive to the airport and surround the field with headlights on. Within 20 minutes the field was ringed with light, and the squadron came in. It was an immediate, commendable and spontaneous reaction on the people's part, and thanks went to them, as well as to the effectiveness of the local broadcast.

Radio has also cooperated with the Government agencies carrying on the war production program. In early January you perhaps recall that suddenly a severe cold spell gripped the Eastern and the Central states in which are located many war production plants using gas for fuel. Late in the afternoon word was received by OPM in Washington that due to the tremendous increase in gas consumption for domestic use, many of the war production plants would be compelled to close down that night for lack of gas. The need was urgent and at 4:00 PM that afternoon the OPM appealed to the National Association of Broadcasters for help. Immediately, telegrams were sent to all stations in the given area containing announcements urging that domestic consumption be curtailed so war production could go on. Announcements were carried on all stations at supper time, consumption immediately dropped, the cold weather continued, but thanks to radio and the cooperation of the people, there was ample supply of gas and the plants remained in operation.

And as a final typical example of radio's services to a community in time of emergency, consider this recent incident in Iowa. In Burlington there is a large ordnance plant employing 13,000 workers. In the last six months there have been two bad explosions. The first one five months ago occurred at 1 o'clock in the afternoon and the people were frantic. The first impulse in such a case is for everyone to start telephoning in an attempt to secure news of the safety of the members of his family. The telephone switchboard became useless, and in a desperate hope, the manager of the telephone company appealed for assistance to the local radio station, WBUR. The manager of WBUR immediately interrupted the program on the air and made a five minute talk, explaining the desperate need for telephone service for doctors, nurses and long distance calls and further promised to have his staff cover the accident and to give as rapidly as possible complete details of the accident. The telephone manager states that almost as if by magic, the calls ceased and within a few minutes the service was back to normal and the urgent calls in connection with relief went through.

A plea for nurses was also made over the radio, and within a short time the hospital called back to say that the response had been so immediate and so plentiful that there were adequate nurses available to take care of all needs.

Just six weeks ago, the second explosion took place. Again Station WBUR responded and again panic was averted. telephone facilities were made available for needed calls, nurses were secured and the work of rescue was carried on in a most efficient manner.

TREASURY ACCELERATES BOND DRIVE

Through the presidents of the American Trade Association Executives, the Manufacturing Trade Associations Group, and the United States Chamber of Commerce, Secretary of the Treasury Morgenthau has appealed to all trade association executives for further assistance in stimulating the purchase of Savings Stamps and Bonds.

The ultimate objective of the campaign is to achieve a goal of $1,000,000,000 a month. A two front offensive is planned. First, to increase the percentage of employees now participating in the payroll plan from the present 45 per cent to at least 90 per cent; and, second, to increase the monthly allotment from the now average $8.00 per capita to approximately $20.00 per capita.

The $12,000,000,000 annual goal represents 10 per cent of our estimated national income, and the payroll savings plan is the most effective method promoting systematic purchase of the Savings Bonds.

There are now, according to their statement, over 86,000 firms employing a total of over 22,000,000 people which have made such plans available to their employees. The record shows, however, only 57 per cent of the employees are participating and they, only to the extent of a fraction more than 5 per cent of the gross payrolls of the plants. There are, of course many plants which are not participating at all. This, says the Committee, is a far cry from the gross 10 per cent payroll of all plants.

Many radio stations are among those "plants" making the payroll savings plan available to employees. NAB desires to render every possible assistance to the Treasury Department in the promotion of this plan. To that end we request station managers to advise what steps have been taken along the lines indicated. We desire this information for two purposes: first, that we may give proper recognition to those stations participating and, also that we may advise the Secretary of the manner in which the radio industry is cooperating.

CENSOR COMMENDS RADIO

Byron Price, Director of Censorship, today issued the following statement:

"The newspapers and broadcasters of the country in general have performed magnificently in withholding information about the visit to this country of V. M. Molotov, the Soviet Foreign Minister.

"The facts about this visit were known to hundreds of newspapermen and broadcasters. It was news of very high importance. But the voluntary wartime Codes issued by the Office of Censorship had requested that news of all such events be withheld from publication or broadcast for reasons of safety until official announcement was made.

"The result was that, so far as we have been able to learn, no premature mention of the visit was made on any broadcast or in any newspaper of the United States except one. This is a performance which reflects great credit upon the patriotic self-discipline of the publishing and radio industries.

"The one newspaper in which the story was published was the Philadelphia Daily News. The publisher of the Daily News has assured us that the Code was not violated intentionally, but so far he has made no satisfactory explanation of the manner in which the error occurred."

WTIC HELPS MARINES

As a part of Flag Week observance, Station WTIC, Hartford, made arrangements with the Marine Corps to send a copy of the Marine booklet on the use of the flag to interested listeners. Four announcements brought 1,120 requests, stimulating interest in both the flag and the Marine Corps.

CHARLES CALEY TO AIR CORPS

Charles C. Caley, assistant manager of WMBD, Peoria, has been commissioned a Lieutenant in the Army Air Corps, reporting to Officers' Training School at Miami Beach, Fla.

Mr. Caley was active in the national sales field, and for five years served as member of the Sales Managers' Committee of NAB.

CHINA AND RUSSIAN RELIEF

A note from Alvin M. Josephy, Jr., of the Office of Facts and Figures, asks us to relate the reason China Relief and Russian War Relief are not included in the network allocation plan.

OFF handles Government programs only. China Relief and Russian War Relief are not Government programs.

Nevertheless, OFF "would like stations to know that we think that both Russian and China Relief are doing a splendid job and hope that stations will give cooperation."

"WE'VE GOT TO STICK TOGETHER"

"We've Got to Stick Together," which was mentioned recently, is the official song for the War Bond and Stamp Rally in Baltimore. According to H. Lee Hoffman, Baltimore advertising man, who with his wife, composed the words and music, the song is being well received. It's BMI.

RUBBER SALVAGE DRIVE

The intensive Rubber Salvage Drive is in full force throughout the United States. Stations everywhere are doing an outstanding job to bring scrap rubber to receiving stations.

It is suggested that stations continue their own rubber conservation efforts. No matter how successful this drive, there still will not be enough rubber. Every fraction of a pound of rubber that can be saved is an aid to winning the War.

BOUQUET FROM THE AIR CORPS

Captain J. Elroy McCaw who is now attached to the Headquarters of the Army Air Forces in Washington has tossed a bouquet our way. Captain McCaw, incidentally, in private life operates radio station KELA at Centralia, Washington, and has other radio interests in the Pacific northwest. He writes Neville Miller as follows:

"Recently we have had several occasions to request the assistance of the National Association of Broadcasters in expediting communications training.

"As a result of the intelligent and wholehearted cooperation extended by Mr. Arthur Stringer and other members of your staff, it has been possible for us to accomplish our purposes much more quickly and effectively than would otherwise have been possible. You, in the National Association of Broadcasters, have shown an understanding of our problem and have demonstrated your desire to be of assistance in this emergency.

"We wish to extend our appreciation to you for your courtesy and assistance. We look forward to a continuation of this pleasant and helpful relationship."

NEW CUBAN RULES

Radio broadcasters in Cuba are forbidden to use expressions such as "flash," "important," "last minute" and similar terms in commercial announcements according to the Department of Commerce.

Station licensees are required to file with the communications control commission certain personal information, about their personnel including fingerprints and photographs.

The general public is not permitted to take part in broadcast programs. Programs must be prepared at least 24 hours in advance so copy may be available to Government inspectors.

CENSORSHIP NOT UNDER DAVIS

The status of the Office of Censorship is not affected in any way by the order of President Roosevelt creating the Office of War Information with Elmer Davis as director. The only reference to censorship in the executive order signed by the President on June 13 follows: "The Director of the Office of War Information and the Director of Censorship shall collaborate in the performance of their respective functions for the purpose of facilitating the prompt and full dissemination of all available information which will not give aid to the enemy."

The various bureaus that are brought under the direct control of Mr. Davis are the Office of Facts and Figures, headed by Archibald MacLeish; Office of Government Reports, headed by Lowell Mellett; Division of Information, headed by Robert W. Horton, in the Office of Emergency Management, which has controlled the press relations of such agencies as WPB, OPA and the War Labor Board; and the Foreign Information Service of the Office of Co-ordinator of Information. Colonel William J. Donovan, who has been Co-ordinator of Information, has been transferred to the Office of Strategic Services under the Joint Chiefs of Staff.

Listener Activities

RADIO COUNCIL OF MIDDLE TENNESSEE

The Radio Council of Middle Tennessee observed its first birthday June 9, with an open meeting, an interesting program, and the election of officers. The following officers will serve for 1942-43:

President, Mrs. Arch Trawick; First Vice President, Mrs. Roland C. Wolfe; Second Vice President, Mrs. Donald M. Maynard; Recording Secretary, Mrs. Manuel Eskind; Treasurer, Dr. M. L. Shane.

Mrs. Paul Capps, who has served as secretary since the pre-organization meetings, gave a short history of the Council, its organization, objectives, and undertakings. Tribute was paid to Dorothy Lewis. Reports of the NAB Convention in Cleveland were made by F. C. Sowell of WLAC, E. S. Tanner of WSIX, and Jack Stapp of WSM. The highlights were vividly presented by these experienced executives, and the interested listeners got glimpses of different phases of the tremendous, complex world of radio.

The major project of the year, the study of listeners' habits, hobbies, and favorite programs were discussed by Miss Mary Sneed Jones, chairman of the committee, and by Mrs. Roland C. Wolfe, in charge of questionnaires for adults. Miss Jones gave a brief summary of the 4,000 questionnaires sent to city and county elementary and high schools, and outlined the plans for completing the study, with the hope of making it available to a few hundred interested students of education by radio.

Mrs. Wolfe emphasized the cooperation of different organized groups who took part in the survey of adult listeners, and gave many of the intelligent and constructive suggestions from urban and rural groups.

Mrs. Trawick read "The Role of the Listener" which she gave before the Listeners' Section of the NAB Convention in Cleveland.

A spirited discussion of trends in radio followed with an exchange of opinions, questions, and answers, on the possibilities in the ever-growing field of entertainment and education via *Radio*. A statement of goals for the next year was the closing number on the program.

MRS. ROOSEVELT WANTS FREE RADIO

In a recent issue of the Ladies Home Journal in her column "You Ask Me" by Mrs. Eleanor Roosevelt, she received the following question:

> "Since sponsors of radio programs for children seem indifferent to the protests of individual parents concerning gangster and horror stories on the air, is it possible to have legislation passed prohibiting them?"

Her reply is encouraging to informed mothers and broadcasters alike:

> "I think it would be a pity to pass legislation which would be censorship legislation, either for the press or the radio or the movies. All these distributors of news and entertainment, of necessity, are anxious to please the public; and once you get the public educated so that they are really determined that their children shall not listen to certain programs on the air, you will have no difficulty getting them off the air."

The women of the country are learning that they have editorial work to do with this new medium of radio as with newspaper and movie. Mrs. Roosevelt confirms the fact that the listeners must be articulate. The broadcasters desire to give the radio audience what it wants to hear.

IRVING BERLIN MUSIC

THIS IS THE ARMY, INC. is producing a stage show in a New York theater, the net proceeds of which will be donated to army emergency relief. The score of this show is written by Irving Berlin and will be published by THIS IS THE ARMY, INC. The Directors of This Is the Army, Inc. have decided that all broadcasting stations should be free to perform this music without the payment of any compensation whatsoever. For this purpose they have instructed and authorized ASCAP to license the score free of charge to all broadcasting stations. We feel that all broadcasters should recognize this patriotic gesture by availing themselves of the opportunity of performing an Irving Berlin score without charge, and, at the same time, helping the Army in its efforts to raise funds for army emergency relief. The compositions written by Mr. Berlin which are included in this free license are as follows:

This is the Army, Mr. Jones
With My Head in the Clouds
I Left My Heart at the Stage Door Canteen
My Sergeant and I Are Buddies
The Army's Made a Man Out of Me
How About a Cheer for the Navy
American Eagles
That Russian Winter
I'm Getting Tired So I Can Sleep

The show will also include some Irving Berlin numbers written at the time of the last war but these are the property of individual publishers and are not included in the free license.

PRIORITY ORDER

Preference Rating Order P-129 (see NAB REPORTS, May 1, p. 244) was amended June 3 by inserting before the first word (Except) of paragraph (g)(1) the words "On and after September 1, 1942 * * *." The effect of the amendment is that the 27½% limitations on inventory do not apply until September 1.

DCB MATERIAL RECOMMENDATION

The DCB recommended, June 11, to the War Production Board and the Federal Communications Commission that, with regard to the construction of certain radio facilities, there be immediately placed into effect the following policy:

1) No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any amateur or Class 3 experimental Station.

2) No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any Aeronautical Fixed (domestic) Station, Itinerant Aircraft Station, Flying School Station, or station operating in the Emergency and Miscellaneous Radio Services; provided, however, that upon a proper showing that any such station serves an essential military need or a vital public need, which cannot otherwise be met, the Commission and the War Production Board will take action commensurate with the importance of the particular facility in question.

The foregoing applies to the following classes of stations which are defined in the Rules and Regulations of the Federal Communications Commission:

1) Amateur stations.
2) Class 3 experimental stations.
3) Emergency Radio Service.
    a) State Police Stations.
    b) Municipal Police Stations.
    c) Zone Police Stations.
    d) Interzone Police Stations.
    e) Special Emergency Stations.
    f) Forestry Stations.
    g) Marine Fire Stations.
4) Aviation Radio Service.
    a) Aeronautical Fixed (domestic) Stations.
    b) Itinerant Aircraft Stations.
    c) Flying School Stations.
5) Miscellaneous Radio Service.
    a) Provisional Stations.
    b) Motion Picture Stations.
    c) Relay Press Stations.
    d) Geological Stations.

MISSISSIPPI

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	7,556	38.6	2,909	4,642	50.6	2,351	1,072	37.3	400	1,842	8.6	158
Alcorn	6,755	56.7	3,847	2,289	68.8	1,574	1,074	70.4	756	3,392	44.7	1,517
Amite	5,035	34.4	1,732	......	....	......	1,045	54.9	573	3,990	29.0	1,159
Attala	6,937	39.4	2,733	1,202	61.6	740	1,031	55.2	569	4,704	30.3	1,424
Benton	2,373	34.4	813	......	....	......	305	55.7	170	2,068	31.1	643
Bolivar	18,138	28.4	5,123	1,094	63.2	691	3,846	43.5	1,674	13,198	20.9	2,758
Calhoun	4,924	48.8	2,404	......	....	......	1,473	59.0	870	3,451	44.4	1,534
Carroll	4,746	33.1	1,576	......	....	......	751	58.2	437	3,995	28.5	1,139
Chickasaw	5,085	40.3	2,041	......	....	......	1,765	55.3	975	3,320	32.1	1,066
Choctaw	3,007	38.6	1,160	......	....	......	669	56.6	379	2,338	33.4	781
Claiborne	3,385	25.5	873	828	40.6	336	316	41.5	131	2,241	18.1	406
Clarke	4,803	39.2	1,881	......	....	......	1,899	48.4	919	2,904	33.1	962
Clay	4,709	37.5	1,765	1,669	53.8	898	298	37.4	111	2,742	27.6	756
Coahoma	13,529	29.6	4,011	3,589	54.3	1,949	1,374	40.4	555	8,566	17.6	1,507
Copiah	8,252	38.5	3,177	1,718	58.6	1,006	1,220	42.2	515	5,314	31.2	1,656
Covington	3,792	42.2	1,602	......	....	......	825	54.2	447	2,967	38.9	1,155
DeSoto	6,660	23.4	1,556	......	....	......	899	52.9	475	5,761	18.8	1,081
Forrest	9,098	54.5	4,952	5,762	58.9	3,396	1,801	48.3	870	1,535	44.7	686
Franklin	3,061	36.7	1,122	......	....	......	1,243	42.7	531	1,818	32.5	591
George	1,942	39.8	773	......	....	......	837	43.2	362	1,105	37.2	411
Greene	2,044	34.2	698	......	....	......	1,044	32.8	342	1,000	35.6	356
Grenada	4,493	39.2	1,759	1,593	57.1	910	542	51.2	277	2,358	24.3	572
Hancock	2,808	47.5	1,331	1,034	61.8	639	1,299	35.7	464	475	48.0	228
Harrison	13,020	63.1	8,219	9,213	68.4	6,303	2,674	51.8	1,384	1,133	46.9	532
Hinds	26,921	56.8	15,334	16,423	73.4	12,047	3,266	54.6	1,782	7,232	20.8	1,505
Holmes	9,540	26.3	2,515	1,606	49.5	795	1,509	49.1	740	6,425	15.3	980
Humphreys	6,522	28.2	1,832	1,071	45.7	490	542	48.5	263	4,909	22.0	1,079
Issaquena	1,779	18.0	320	......	....	......	128	49.2	63	1,651	15.6	257
Itawamba	4,562	38.2	1,740	......	....	......	442	61.4	271	4,120	35.6	1,469
Jackson	5,191	62.3	3,225	2,303	71.0	1,636	2,110	53.4	1,126	778	59.5	463
Jasper	4,308	33.5	1,443	......	....	......	847	49.7	421	3,461	29.5	1,022
Jefferson	3,538	19.2	676	......	....	......	723	39.1	283	2,815	14.0	393
Jefferson Davis	3,527	31.0	1,095	......	....	......	503	49.2	247	3,024	28.0	848
Jones	11,626	54.6	6,342	5,863	60.2	3,530	1,395	58.8	820	4,368	45.6	1,992
Kemper	4,746	27.4	1,301	......	....	......	1,012	51.9	525	3,734	20.8	776
Lafayette	5,157	41.3	2,137	1,033	72.1	745	544	50.2	273	3,580	31.3	1,119
Lamar	2,857	40.4	1,155	......	....	......	1,274	39.7	505	1,583	41.1	650
Lauderdale	14,894	49.5	7,344	9,648	58.4	5,637	1,362	39.8	542	3,884	30.0	1,165
Lawrence	3,178	31.2	990	......	....	......	813	50.1	408	2,365	24.6	582
Leake	5,487	34.9	1,917	......	....	......	1,313	51.9	681	4,174	29.6	1,236
Lee	9,653	50.5	4,863	2,335	66.9	1,563	1,752	53.9	945	5,566	42.3	2,355
Leflore	13,979	36.8	5,128	4,169	61.9	2,582	1,480	49.6	734	8,330	21.8	1,812
Lincoln	6,559	42.8	2,799	1,751	63.5	1,113	812	36.1	293	3,996	34.9	1,393
Lowndes	8,991	41.2	3,699	3,894	55.8	2,174	1,016	54.8	557	4,081	23.7	968
Madison	8,861	30.8	2,719	1,771	50.2	889	1,086	65.8	714	6,004	18.6	1,116
Marion	5,622	38.3	2,153	1,637	53.5	876	690	43.5	300	3,295	29.7	977
Marshall	5,967	23.9	1,425	776	57.5	446	659	46.5	307	4,532	14.8	672
Monroe	8,988	42.5	3,823	2,426	61.6	1,494	844	52.7	445	5,718	32.9	1,884
Montgomery	3,776	42.4	1,604	783	61.7	483	553	56.2	311	2,440	33.2	810
Neshoba	6,303	39.3	2,481	1,022	56.1	573	472	51.6	244	4,809	34.6	1,664
Newton	5,528	39.6	2,188	......	....	......	1,629	59.3	966	3,899	31.3	1,222
Noxubee	6,010	18.9	1,125	......	....	......	1,272	45.3	576	4,738	11.6	549
Oktibbeha	5,090	38.1	1,944	1,371	60.0	822	476	64.5	307	3,243	25.1	815
Panola	8,250	36.3	2,990	......	....	......	2,090	61.4	1,284	6,160	27.7	1,706
Pearl River	4,644	52.1	2,420	1,399	61.1	854	1,679	43.7	733	1,566	53.2	833
Perry	2,067	37.3	770	......	....	......	908	43.1	391	1,159	32.7	379
Pike	8,651	50.8	4,373	2,791	73.3	2,046	2,572	48.2	1,241	3,288	33.0	1,086
Pontotoc	5,459	45.2	2,467	......	....	......	1,124	62.3	701	4,335	40.7	1,766
Prentiss	5,000	46.7	2,338	......	....	......	1,365	55.2	754	3,635	43.6	1,584
Quitman	6,887	40.2	2,759	......	....	......	1,261	58.4	736	5,626	36.0	2,023

MISSISSIPPI—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Rankin	5,668	39.2	2,231	......	....	......	1,786	58.8	1,050	3,882	30.4	1,181
Scott	5,259	43.2	2,392	709	82.5	585	998	55.7	556	3,552	35.2	1,251
Sharkey	3,941	35.4	1,393	......	....	......	781	55.6	434	3,160	30.3	959
Simpson	4,975	43.5	2,164	......	....	......	1,399	54.9	768	3,576	39.0	1,396
Smith	4,235	41.4	1,765	......	....	......	705	63.7	449	3,530	37.3	1,316
Stone	1,500	44.0	660	......	....	......	899	44.5	400	601	43.2	260
Sunflower	14,889	32.5	4,825	1,093	59.5	650	1,993	62.9	1,254	11,803	24.7	2,921
Tallahatchie	8,598	32.6	2,815	......	....	......	1,749	55.8	976	6,849	26.9	1,839
Tate	4,687	35.0	1,631	......	....	......	907	63.5	576	3,780	27.9	1,055
Tippah	4,577	47.4	2,168	......	....	......	1,095	66.4	727	3,482	41.4	1,441
Tishomingo	3,978	47.6	1,891	......	....	......	1,152	59.8	689	2,826	42.5	1,202
Tunica	6,271	23.2	1,451	......	....	......	861	55.7	479	5,410	18.0	972
Union	5,417	49.9	2,701	1,089	69.7	759	645	47.1	304	3,683	44.5	1,638
Walthall	3,899	33.9	1,318	......	....	......	485	63.7	309	3,414	29.6	1,009
Warren	11,471	47.8	5,490	7,363	58.1	4,281	1,775	34.7	616	2,333	25.4	593
Washington	19,067	33.7	6,441	7,397	52.2	3,860	2,136	40.9	874	9,534	17.9	1,707
Wayne	3,700	31.2	1,154	......	....	......	1,323	35.5	469	2,377	28.8	685
Webster	3,320	45.0	1,494	......	....	......	842	54.6	459	2,478	41.8	1,035
Wilkinson	3,810	33.9	1,284	......	....	......	1,435	54.0	775	2,375	21.4	509
Winston	5,047	35.4	1,789	946	56.9	538	498	46.3	230	3,603	28.3	1,021
Yalobusha	4,505	40.3	1,814	998	62.7	626	402	59.5	239	3,105	30.6	949
Yazoo	9,872	29.9	2,950	2,060	36.4	1,161	1,229	42.8	526	6,583	19.2	1,263
State Total	534,956	39.9	213,312	120,360	61.5	74,048	95,920	50.9	48,834	318,676	28.4	90,430

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Jackson	Hinds	16,423	73.4	12,047
Meridian	Lauderdale	9,648	58.4	5,637

NAB Research Department June 17, 1942

NEBRASKA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	6,301	87.8	5,530	4,310	93.8	4,043	555	80.7	448	1,436	72.3	1,039
Antelope	3,569	79.9	2,852	......	....	......	1,539	82.4	1,268	2,030	78.0	1,584
Arthur	269	72.7	196	......	....	......	60	51.7	31	209	78.7	165
Banner	362	84.6	306	......	....	......	28	82.1	23	334	84.8	283
Blaine	395	79.5	314	......	....	......	102	80.8	82	293	79.1	232
Boone	3,117	78.3	2,442	......	....	......	1,405	85.3	1,199	1,712	72.6	1,243
Box Butte	2,915	87.4	2,547	1,739	89.0	1,548	323	85.8	277	853	84.7	722
Boyd	1,566	75.0	1,175	......	....	......	671	77.4	519	895	73.3	656
Brown	1,569	76.5	1,200	......	....	......	806	80.1	646	763	72.6	554
Buffalo	6,646	80.8	5,369	2,762	87.0	2,404	1,602	84.4	1,352	2,282	70.7	1,613
Burt	3,450	87.1	3,004	......	....	......	1,727	85.7	1,481	1,723	88.4	1,523
Butler	3,658	73.5	2,689	......	....	......	1,710	80.0	1,367	1,948	67.9	1,322
Cass	4,964	84.1	4,178	1,195	87.4	1,045	1,697	85.2	1,446	2,072	81.4	1,687
Cedar	3,751	85.1	3,190	......	....	......	1,588	84.7	1,345	2,163	85.3	1,845
Chase	1,413	77.5	1,095	......	....	......	678	77.6	526	735	77.4	569

NEBRASKA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Cherry	2,443	77.5	1,893	......	....	......	1,092	78.5	858	1,351	76.6	1,035
Cheyenne	2,453	87.4	2,144	921	91.1	839	463	87.6	406	1,069	84.1	899
Clay	3,154	78.2	2,470	......	....	......	1,698	85.0	1,443	1,456	70.5	1,027
Colfax	3,038	80.9	2,456	871	87.8	764	759	80.6	612	1,408	76.7	1,080
Cuming	3,459	85.8	2,966	685	92.3	632	804	80.7	649	1,970	85.5	1,685
Custer	6,132	77.0	4,723	876	86.0	753	1,742	80.8	1,408	3,514	72.9	2,562
Dakota	2,562	84.7	2,168	1,241	88.4	1,097	484	83.5	404	837	79.7	667
Dawes	2,789	86.2	2,404	1,252	91.4	1,145	688	79.6	548	849	83.8	711
Dawson	4,914	81.0	3,982	1,075	93.7	917	1,737	86.0	1,493	2,102	74.8	1,572
Deuel	929	84.9	789	......	....	......	459	88.7	407	470	81.3	382
Dixon	2,759	84.8	2,340	......	....	......	1,230	87.7	1,078	1,529	82.5	1,262
Dodge	6,829	89.4	6,105	3,469	93.4	3,239	1,504	85.6	1,287	1,856	85.1	1,579
Douglas	68,378	93.5	63,967	62,135	94.1	58,464	4,345	88.6	3,852	1,898	87.0	1,651
Dundy	1,358	72.4	982	......	....	......	661	71.3	471	697	73.4	511
Fillmore	3,319	77.7	2,577	......	....	......	1,636	84.7	1,386	1,683	70.8	1,191
Franklin	2,246	71.0	1,594	......	....	......	1,115	79.4	885	1,131	62.7	709
Frontier	1,797	73.3	1,317	......	....	......	682	80.0	546	1,115	69.1	771
Furnas	3,022	76.8	2,322	......	....	......	1,695	82.0	1,390	1,327	70.2	932
Gage	8,023	86.2	6,918	3,219	91.4	2,943	1,927	84.8	1,635	2,877	81.3	2,340
Garden	1,249	79.0	987	......	....	......	495	81.6	404	754	77.3	583
Garfield	895	74.6	667	......	....	......	396	79.1	313	499	71.0	354
Gosper	1,022	68.2	685	......	....	......	269	82.8	223	733	63.0	462
Grant	337	83.5	282	......	....	......	204	80.9	165	133	87.6	117
Greeley	1,655	75.6	1,252	......	....	......	738	79.2	585	917	72.7	667
Hall	7,825	86.7	6,778	5,469	91.9	5,028	601	83.3	500	1,755	71.2	1,250
Hamilton	2,910	77.9	2,267	......	....	......	1,287	84.8	1,092	1,623	72.4	1,175
Harlan	1,999	76.2	1,525	......	....	......	957	84.8	812	1,042	68.4	713
Hayes	748	75.2	563	......	....	......	145	65.5	95	603	77.6	468
Hitchcock	1,721	76.0	1,308	......	....	......	919	79.6	731	802	72.0	577
Holt	4,228	79.7	3,368	644	86.9	560	1,158	79.0	915	2,426	78.0	1,893
Hooker	331	74.4	246	......	....	......	208	77.4	161	123	69.2	85
Howard	2,305	75.8	1,745	......	....	......	925	81.0	749	1,380	72.2	996
Jefferson	4,503	83.7	3,775	1,952	91.6	1,788	816	79.8	651	1,735	77.0	1,336
Johnson	2,468	82.3	2,032	......	....	......	1,167	83.9	979	1,301	80.9	1,053
Kearney	1,954	83.9	1,640	......	....	......	909	88.7	806	1,045	79.8	834
Keith	2,168	81.7	1,772	862	87.2	752	500	81.6	408	806	75.9	612
Keya Paha	791	77.8	615	......	....	......	187	76.6	143	604	78.1	472
Kimball	1,052	84.7	891	......	....	......	588	89.5	526	464	78.6	365
Knox	4,345	76.7	3,291	......	....	......	1,824	78.1	1,425	2,521	74.0	1,866
Lancaster	29,129	92.1	26,842	24,633	94.7	23,327	1,548	83.9	1,299	2,948	75.2	2,216
Lincoln	6,759	84.4	5,703	3,378	91.6	3,094	1,242	79.3	985	2,139	75.9	1,624
Logan	453	71.3	322	......	....	......	157	60.2	108	296	72.3	214
Loup	459	77.4	355	......	....	......	118	76.5	90	341	77.7	265
McPherson	318	65.0	207	......	....	......	61	47.5	29	257	69.3	178
Madison	6,478	87.3	5,653	3,013	92.1	2,774	1,569	86.0	1,349	1,896	80.7	1,530
Merrick	2,628	82.8	2,177	......	....	......	1,351	88.7	1,198	1,277	76.6	979
Morrill	2,313	81.6	1,888	......	....	......	1,159	83.1	963	1,154	80.2	925
Nance	1,950	78.6	1,533	......	....	......	939	83.1	780	1,011	74.4	753
Nemaha	3,712	85.1	3,159	1,124	87.9	988	903	82.8	748	1,685	84.5	1,423
Nuckolls	2,971	75.2	2,233	823	88.2	726	764	80.6	615	1,384	64.5	892
Otoe	5,371	87.0	4,675	2,101	88.0	1,850	1,034	88.2	912	2,236	85.5	1,913
Pawnee	2,350	80.1	1,883	......	....	......	978	84.9	831	1,372	76.7	1,052
Perkins	1,350	80.7	1,089	......	....	......	527	82.4	434	823	79.6	655
Phelps	2,512	86.0	2,160	1,056	93.2	984	366	78.8	288	1,090	81.4	888
Pierce	2,703	82.2	2,222	......	....	......	1,104	85.2	941	1,599	80.1	1,281
Platte	4,964	81.3	4,036	2,043	90.9	1,857	750	77.3	580	2,171	73.7	1,599
Polk	2,466	83.8	2,068	......	....	......	1,033	87.1	900	1,433	81.5	1,168
Red Willow	3,298	82.5	2,717	1,741	91.3	1,589	557	74.5	415	1,000	71.3	713
Richardson	5,297	83.2	4,409	1,735	91.1	1,581	1,395	81.6	1,139	2,167	78.0	1,689
Rock	1,016	78.7	800	......	....	......	400	81.6	326	616	76.9	474
Saline	4,608	77.7	3,581	964	88.0	848	1,614	81.1	1,308	2,030	70.2	1,425
Sarpy	2,638	87.5	2,308	......	....	......	1,502	91.0	1,367	1,136	82.8	941
Saunders	5,152	82.9	4,272	805	93.2	750	1,656	84.8	1,404	2,691	78.7	2,118
Scottsbluff	8,501	82.6	7,021	3,916	86.7	3,396	1,625	77.4	1,258	2,960	80.0	2,367
Seward	4,036	80.4	3,242	875	90.9	795	1,118	79.8	892	2,043	76.1	1,555

NEBRASKA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Sheridan	2,709	80.2	2,173	......	....	......	1,400	80.3	1,125	1,309	80.0	1,048
Sherman	2,026	68.3	1,385	......	....	......	869	78.3	680	1,157	60.9	705
Sioux	1,036	75.3	780	......	....	......	185	82.1	152	851	73.8	628
Stanton	1,858	79.7	1,480	......	....	......	618	87.3	539	1,240	75.9	941
Thayer	3,436	78.9	2,711	......	....	......	1,808	85.3	1,542	1,628	71.8	1,169
Thomas	434	73.5	319	......	....	......	232	75.0	174	202	71.9	145
Thurston	2,445	73.2	1,789	......	....	......	1,238	71.6	886	1,207	74.8	903
Valley	2,307	76.3	1,758	......	....	......	1,102	84.1	927	1,205	69.0	831
Washington	3,197	87.2	2,788	939	93.4	877	591	86.2	510	1,667	84.0	1,401
Wayne	2,647	88.8	2,350	784	92.9	729	387	82.5	319	1,476	88.2	1,302
Webster	2,367	72.4	1,713	......	....	......	1,120	83.5	936	1,247	62.3	777
Wheeler	528	75.2	397	......	....	......	137	71.1	97	391	76.7	300
York	4,287	83.7	3,590	1,652	90.9	1,502	728	78.4	571	1,907	79.5	1,517
State Total	360,744	84.7	305,681	146,259	92.7	135,628	89,390	82.9	74,068	125,095	76.7	95,985

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Lincoln	Lancaster	24,633	94.7	23,327
Omaha	Douglas	62,135	94.1	58,464

NAB Research Department

June 9, 1942

NEW MEXICO

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Bernalillo	18,079	74.0	13,396	9,884	86.7	8,572	5,943	63.2	3,755	2,252	47.4	1,069
Catron	1,313	42.5	558	......	....	......	671	43.1	289	642	41.9	269
Chaves	6,091	67.1	4,088	3,569	73.7	2,630	758	55.5	421	1,764	58.8	1,037
Colfax	4,634	66.0	3,057	2,043	73.0	1,491	1,706	63.4	1,082	885	54.7	484
Curry	4,809	75.5	3,633	2,757	82.4	2,273	758	61.0	462	1,294	69.4	898
DeBaca	934	54.4	508	......	....	......	541	55.7	301	393	52.6	207
Dona Ana	7,270	51.5	3,746	2,155	62.9	1,355	2,196	44.3	974	2,919	48.5	1,417
Eddy	6,059	65.7	3,983	2,957	79.9	2,364	1,833	56.3	1,033	1,269	46.2	586
Grant	4,890	62.5	3,059	1,349	65.0	877	2,798	60.9	1,705	743	64.1	477
Guadalupe	1,908	30.9	590	......	....	......	1,402	34.2	479	506	22.0	111
Harding	1,057	45.2	477	......	....	......	466	42.5	198	591	47.2	279
Hidalgo	1,246	59.9	746	786	61.8	486	203	57.0	116	257	56.1	144
Lea	6,161	74.1	4,559	3,240	74.9	2,427	2,286	78.1	1,785	635	54.7	347
Lincoln	2,119	54.0	1,144	......	....	......	1,445	55.9	808	674	49.8	336
Luna	1,687	58.6	987	964	64.0	617	323	43.7	141	400	57.3	229
McKinley	5,318	45.2	2,385	1,817	79.1	1,437	1,569	52.8	828	1,932	6.2	120
Mora	2,399	14.2	340	......	....	......	924	17.1	158	1,475	12.3	182
Otero	2,638	51.1	1,348	988	62.1	613	878	47.2	415	772	41.5	320
Quay	3,212	66.4	2,132	1,655	67.6	1,118	487	63.4	309	1,070	65.9	705
Rio Arriba	5,499	19.2	1,058	......	....	......	2,557	23.5	600	2,942	15.6	458
Roosevelt	3,628	60.8	2,206	1,328	66.2	879	330	56.1	185	1,970	58.0	1,142
Sandoval	3,082	24.8	765	......	....	......	1,880	26.2	492	1,202	22.7	273
San Juan	3,750	38.1	1,440	......	....	......	1,240	69.0	855	2,510	23.3	585
San Miguel	6,330	32.8	2,073	2,889	50.7	1,465	1,459	20.1	293	1,982	15.9	315
Santa Fe	7,289	57.2	4,161	4,943	68.3	3,376	1,199	36.3	436	1,147	30.4	349
Sierra	1,908	46.3	883	869	54.0	469	616	44.6	275	423	32.9	139
Socorro	2,666	33.6	897	907	47.5	431	712	30.1	215	1,047	23.9	251
Taos	4,109	23.2	948	......	....	......	2,111	29.6	624	1,998	16.2	324
Torrance	2,628	38.3	1,008	......	....	......	1,366	38.6	527	1,262	38.1	481
Union	2,354	59.3	1,395	847	70.3	595	432	49.5	214	1,075	54.6	586
Valencia	4,408	33.6	1,483	766	62.2	476	2,008	28.8	579	1,634	26.2	428
State Total	129,475	53.2	69,053	46,713	72.5	33,951	43,097	47.6	20,554	39,665	36.7	14,548

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Albuquerque	Bernalillo	9,884	86.7	8,572

NAB Research Department

June 10, 1942

OKLAHOMA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adair	3,652	40.3	1,474	......	....	......	1,270	53.9	685	2,382	33.1	789
Alfalfa	3,962	80.2	3,180	777	82.0	637	1,083	79.8	864	2,102	79.9	1,679
Atoka	4,417	41.9	1,877	807	70.3	567	879	37.4	329	2,731	35.9	981
Beaver	2,352	68.0	1,597	......	....	......	662	72.9	481	1,690	66.0	1,116
Beckham	6,075	67.3	4,088	2,356	78.6	1,852	1,014	64.5	654	2,705	58.5	1,582
Blaine	4,847	67.4	3,266	872	67.5	588	1,239	76.3	945	2,736	63.3	1,733
Bryan	9,347	63.1	5,924	2,812	80.6	2,267	2,074	54.6	1,132	4,461	56.6	2,525
Caddo	10,483	64.8	6,797	1,604	72.5	1,163	3,086	72.3	2,230	5,793	58.8	3,404
Canadian	7,003	79.9	5,595	2,978	86.4	2,572	1,167	82.0	957	2,858	72.3	2,066
Carter	11,235	66.2	7,412	4,838	76.9	3,720	3,414	66.4	2,268	2,983	47.7	1,424
Cherokee	4,926	38.5	1,925	919	68.7	631	618	36.0	222	3,389	31.6	1,072
Choctaw	6,992	45.4	3,173	1,753	68.4	1,199	1,666	39.5	659	3,573	36.8	1,315
Cimarron	1,019	67.3	686	......	....	......	498	69.1	344	521	65.6	342
Cleveland	6,823	76.1	5,190	3,411	89.8	3,063	1,035	68.8	712	2,377	59.5	1,415
Coal	3,125	46.7	1,463	......	....	......	1,331	52.5	698	1,794	42.6	765
Comanche	9,237	69.6	6,435	5,297	77.5	4,104	1,304	58.9	769	2,636	59.3	1,562
Cotton	3,374	66.3	2,238	......	....	......	1,328	70.4	935	2,046	63.7	1,303
Craig	4,871	62.4	3,043	1,678	75.4	1,265	887	57.7	511	2,306	55.0	1,267
Creek	14,562	66.8	9,724	6,616	76.6	5,068	2,717	67.6	1,836	5,229	53.9	2,820
Custer	6,091	73.9	4,502	2,643	78.1	2,065	925	74.9	693	2,523	69.1	1,744
Delaware	4,509	46.9	2,117	......	....	......	1,184	55.6	657	3,325	43.9	1,460
Dewey	3,185	64.0	2,038	......	....	......	1,086	72.7	789	2,099	59.5	1,249
Ellis	2,382	68.6	1,631	......	....	......	931	75.0	698	1,451	64.3	933
Garfield	12,944	85.0	11,001	8,353	86.6	7,235	1,619	82.6	1,338	2,972	81.7	2,428
Garvin	7,712	55.5	4,288	1,432	75.5	1,082	2,348	61.7	1,449	3,932	44.7	1,757
Grady	10,757	66.1	7,097	4,078	79.3	3,235	1,913	64.2	1,228	4,766	55.3	2,634
Grant	3,815	83.8	3,199	......	....	......	1,479	85.6	1,266	2,336	82.7	1,933
Greer	3,776	67.9	2,569	1,286	71.3	917	556	74.2	413	1,934	64.1	1,239
Harmon	2,572	69.9	1,801	778	78.8	613	204	80.4	164	1,590	64.4	1,024
Harper	1,744	67.2	1,171	......	....	......	789	73.9	583	955	61.6	588
Haskell	3,974	51.4	2,043	......	....	......	1,611	58.5	943	2,363	46.5	1,100
Hughes	7,005	60.6	4,243	1,811	79.4	1,438	1,889	60.8	1,148	3,305	50.1	1,657
Jackson	6,159	70.7	4,355	2,414	77.9	1,880	1,151	71.0	817	2,594	63.9	1,658
Jefferson	3,837	59.9	2,298	......	....	......	1,864	63.6	1,185	1,973	56.4	1,113
Johnston	3,878	49.2	1,908	......	....	......	1,565	57.1	894	2,313	43.9	1,014
Kay	13,218	82.8	10,945	8,238	87.9	7,238	2,113	75.2	1,589	2,867	73.9	2,118
Kingfisher	4,220	75.5	3,191	981	78.9	774	759	77.8	591	2,480	73.6	1,826
Kiowa	6,191	70.3	4,350	1,538	80.4	1,236	1,682	67.2	1,130	2,971	66.8	1,984
Latimer	2,981	46.6	1,391	......	....	......	1,640	50.7	831	1,341	41.8	560
LeFlore	10,949	50.7	5,557	1,110	65.7	729	5,612	51.4	2,885	4,227	46.0	1,943
Lincoln	7,707	59.7	4,607	814	77.6	632	2,494	70.5	1,758	4,399	50.4	2,217
Logan	7,045	70.4	4,967	2,927	79.8	2,335	1,471	68.1	1,001	2,647	61.6	1,631
Love	2,772	53.9	1,494	......	....	......	866	63.8	553	1,906	49.4	941
McClain	4,646	60.2	2,796	874	78.2	684	1,071	57.1	611	2,701	55.6	1,501
McCurtain	9,754	38.9	3,796	1,086	54.8	595	3,162	46.4	1,466	5,506	31.5	1,735
McIntosh	5,395	48.9	2,641	......	....	......	1,775	58.5	1,039	3,620	44.2	1,602
Major	3,188	66.1	2,109	......	....	......	1,030	75.4	777	2,158	61.7	1,332
Marshall	2,987	56.5	1,687	718	81.6	586	550	47.5	261	1,719	48.8	840
Mayes	5,428	52.7	2,885	732	85.2	624	1,802	54.6	985	2,894	44.1	1,276
Murray	3,424	63.7	2,192	1,244	76.5	951	864	62.8	543	1,316	53.1	698
Muskogee	16,910	63.8	10,801	9,309	78.1	7,272	3,274	49.1	1,608	4,327	44.4	1,921
Noble	4,096	77.3	3,168	1,488	81.5	1,213	764	78.0	596	1,844	73.7	1,359
Nowata	4,193	63.4	2,659	1,191	75.0	894	1,180	61.4	724	1,822	57.1	1,041
Okfuskee	6,270	52.9	3,313	1,144	76.6	876	1,778	56.4	1,002	3,348	42.9	1,435
Oklahoma	69,951	85.2	59,619	61,360	87.3	53,542	4,761	78.2	3,721	3,830	61.5	2,356

OKLAHOMA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Okmulgee	12,909	64.5	8,331	6,509	77.2	5,022	2,983	58.1	1,733	3,417	46.1	1,576
Osage	10,797	74.2	8,020	2,505	78.8	1,976	5,190	77.8	4,036	3,102	64.7	2.008
Ottawa	10,119	68.5	6,945	4,282	77.1	3,301	3,605	64.4	2,321	2,232	59.3	1,323
Pawnee	4,588	66.7	3,079	1,443	83.0	1,197	1,026	64.1	657	2,119	57.8	1,225
Payne	9,969	77.4	7,709	5,241	87.4	4,583	1,802	72.8	1,313	2,926	62.0	1,813
Pittsburgh	11,560	63.2	7,319	4,279	75.5	3,232	3,376	57.7	1,949	3,905	54.8	2,138
Pontotoc	10,155	68.6	6,987	4,263	84.8	3,615	2,303	62.8	1,447	3.589	53.6	1,925
Pottawatomie	14,134	70.9	10,022	6,313	83.3	5,261	3,213	69.7	2,238	4,608	54.8	2,523
Pushmatalia	4,639	42.6	1,969	904	37.8	540	1,528	36.3	555	2,207	39.6	874
Roger Mills	2,838	56.5	1,603	......	....	......	810	70.0	567	2,028	51.1	1,036
Rogers	5,438	60.1	3,266	1,172	81.2	951	1,548	66.8	1,034	2,718	47.1	1,281
Seminole	15,138	66.3	10,052	5,846	79.3	4,638	5,411	71.6	3,873	3,881	39.7	1,541
Sequoyah	5,277	37.4	1,976	......	....	......	1,792	52.3	937	3,485	29.8	1,039
Stephens	8,029	66.8	5,370	3,439	83.0	2,854	1,172	58.6	687	3,418	53.5	1,829
Texas	2,745	71.9	1,972	......	....	......	1,480	76.1	1,126	1,265	66.9	846
Tillman	5,618	70.2	3,944	1,473	76.9	1,133	1,229	71.5	879	2,916	66.2	1,932
Tulsa	54,645	84.9	46,414	43,056	89.6	38,570	8,051	70.3	5,658	3,538	61.8	2,186
Wagoner	5,147	45.5	2,348	1,008	64.1	646	1,206	41.9	506	2,933	40.8	1,196
Washington	8,624	80.0	6,899	4,810	90.5	4,351	2,027	68.7	1,393	1,787	64.7	1,155
Washita	5,838	72.1	4,212	822	80.4	661	1,187	74.2	880	3,829	69.8	2,671
Woods	4,255	78.5	3,339	1,556	86.9	1,352	897	77.0	691	1,802	71.9	1,296
Woodward	4,052	71.4	2,890	1,591	82.1	1,306	735	69.9	514	1,726	62.0	1,070
State Total	610,481	68.8	420,182	254,779	83.5	212,531	139,605	64.6	90,161	216,097	54.4	117,490

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Enid	Garfield	8,353	86.6	7,235
Muskogee	Muskogee	9,309	78.1	7,272
Oklahoma City	Oklahoma	59,494	87.2	51,859
Tulsa	Tulsa	41,344	89.9	37,170

NAB Research Department

June 11, 1942

FEDERAL COMMUNICATIONS COMMISSION

FLY FOR ENGINEER DEFERMENT

Discussing the personnel troubles of broadcast stations at the present time because of the war situation, James Lawrence Fly, FCC chairman, at a press conference on Monday of this week said that he hoped that engineers and technicians would think well before making any moves which would leave the stations and the public in the lurch.

Speaking of this problem of personnel help at the stations Mr. Fly said in part:

"The problem of our employees in the broadcast industry—I am referring, of course, to engineers and technical experts—is rapidly getting no better. Naturally there has been a great strain on the personnel in the broadcasting industry due to opening up of other technical jobs and to a certain extent due to the desire to get into something which seemingly was more active in terms of war work.

"As you know the DCB has given this matter considerable attention and the Commission in particular has lowered its requirements for skilled personnel on two or three different occasions in order to get the greatest assurance of continuity of service from what we thought was the minimum requirements from the standpoint of technical skill and qualifications. We were hopeful that that would assist the small stations in particular. I find the small stations throughout the country are harder hit than the big stations. . . .

"It will be too bad if we have a shortage in the industry and not at all fortunate that the little stations are going to be the ones hit worse. Particularly since the big stations are tending to draw those people from the little ones. I think the little stations are less in position to protect themselves in this situation than the big ones are. I hope to see that process of movement from one station to another slowed down if it can consistently be done. I think in the back of the whole thing may be an assumption that the broadcast industry is not essential in time of war—those of us at this end of the line and the industry feel that it is very essential in time of war. Something that affects the people in terms of mass communication, in terms of information, and perhaps fully as importunately in terms of existing morale.

"It can hardly be over emphasized and I think it is clear that anyone that stays with broadcasting stations and does a real job toward keeping the station on the air is doing something affirmatively to aid in the war effort. I certainly don't want to discourage anyone moving toward an active part in fighting the war but this business of trying to nudge seemingly closer to the war I think may be based upon the superficial assumption that the broadcasting industry is not doing a real job in the war. I think it is doing a real substantial job and is bound to continue to do a real substantial job. We have all got to keep it going for that reason and the knowledge of the significance of broadcasting is a real reason why we have done all we could to keep it going—so it would keep going without any lowering of standards and without any lessening of service for the full duration, and I am hopeful that skilled personnel will think twice before leaving the industry and people in the lurch here.

"Anything we can do here on the problem we are going to do. We are going to make some special studies along with the War Manpower Commission and Selective Service people—try to make some surveys of the situation and assist in any way we can to see that the man power we have got available will do the best job possible for all concerned. I don't know whether Selective Service will want to establish any policy of deferments or not but I should think that in any balancing of the interest of different activities that broadcasting ought to stand pretty high in the list."

FLY NOMINATED AGAIN

President Roosevelt on Monday of this week renominated James Lawrence Fly as chairman of the Federal Communications Commission. Mr. Fly was sworn in as chairman of the FCC on September 1, 1939, succeeding the former chairman, Frank McNinch. The Fly nomination is for a period of 7 years from July 1, 1942.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 22. They are subject to change.

Tuesday, June 23

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.**, 250 watts, unlimited.

Wednesday, June 24

Further Hearing

NEW—South Florida Broadcasting, Inc., Miami, Fla.—C. P., **1450 kc.**, 250 watts, unlimited.

Thursday, June 25

WMAN—Richland, Inc., Mansfield, Ohio.—Renewal of license, **1400 kc.**, 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WEAN—The Yankee Network, Inc., Providence, R. I.—Granted modification of construction permit (B1-MP-1564) for changes in directional antenna and extension of commencement and completion dates; granted subject to further order of the Commission to require appropriate readjustment when conditions make it feasible.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted Special Service Authorization to expire November 10, 1942, to make changes in directional antenna for night use; granted with provision specifying that no operation under this Special Service Authorization will be permitted during the broadcast day until equipment tests have been made and proof of performance submitted and approved to show that the operation of the directional antenna system complies with the engineering data submitted with the application.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wisc.—Granted construction permit (B4-P-3473) to install new RCA 250-K transmitter.

WNBC—State Broadcasting Corp., New Britain, Conn.—Granted modification of license (B1-ML-1125) to move studio from New Britain to Hartford, Conn.

WGTM—Penn Thomas Watson, Wilson, N. C.—Granted authority to install new automatic frequency control (B3-F-247).

KTHS—Hot Springs Chamber of Commerce (Assignor), Radio Broadcasting, Inc. (Assignee), Hot Springs, Ark.—Granted consent to assignment of license (B3-AL-340) of Station KTHS, Hot Springs, Ark., from Hot Springs Chamber of Commerce to Radio Broadcasting, Inc.

WMRN—Frank E. Mason and Ellen Mason (Transferors), Howard F. Guthery and Florence Guthery (Transferees), Marion, Ohio.—Granted consent to voluntary transfer of control of The Marion Broadcasting Co., from Frank E. Mason and Ellen Mason to Howard F. Guthery and Florence Guthery, for a total consideration of $13,000, representing 130 shares of outstanding capital stock.

HEARINGS DESIGNATED

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Designated for hearing application (B3-P-3438) for construction permit to operate on **550 kc.**, 100 watts night, 250 watts local sunset, unlimited time.

WDSU—WDSU, Inc., New Orleans, La.—Designated for consolidated hearing with applications for renewal of licenses of WMIS and WGRM, listed below, the application of WDSU for renewal of license (B3-R-449), and construction permit (B3-P-3424) to reinstate (B3-P-2929, as modified), for new transmitter, move of transmitter locally, increase in power and installation of directional antenna for day and night use.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Designated for hearing application for renewal of license (B3-R-1127) to be consolidated with WDSU hearing.

WGRM—P. K. Ewing, Greenwood, Miss.—Designated for hearing application for renewal of license (B3-R-847) to be consolidated with WDSU hearing.

CASES DISMISSED WITHOUT PREJUDICE

In its Memorandum Opinion of April 27, the Commission stated its policy, among other things, not to grant applications involving the use of materials for construction of new standard and FM broadcast stations. The Commission, in view of this policy, dismissed without prejudice the applications for new standard broadcast stations of the following:

Confederate Broadcasting Co., Marietta, Ga. (B3-P-3486); Walter H. Nelson, Cadillac, Mich. (B2-P-3485); Harold L. Sudbury, May McCutchen and O. W. McCutchen, d/b as Sikeston Broadcasting Co., Sikeston, Mo. (B4-P-3431); J. A. Eisele, Ft. Worth, Tex. (B3-P-3425); Green Mountain Broadcasting Corp., Inc., Brattleboro, Vt. (B1-P-3422); W. J. Harpole and J. C. Rothwell, a partnership, Plainview, Tex. (B3-P-3420); L. J. Duncan, Leila A. Duncan, Josephine A. Keith, and Effie H. Allen, d/b as Valley Broadcasting Co., Columbus, Ga. (B3-P-3415); Portland Broadcasting Co., Portland, Ore. (B5-P-3386); Etowah Broadcasting Co., Gadsden, Ala. (B3-P-3361); Walter S. Dunn, Gilmore N. Nunn, J. Lindsay Nunn and Sanford Holt, a partnership, d/b as Danville Broadcasting Co., Danville, Ky. (B2-P-3356); WJPS, Inc., Evansville, Ind. (B4-P-3293); KTOP, Inc., Topeka, Kans. (B4-P-3456); Sikeston Community Broadcasting Co., Sikeston, Mo. (B4-P-3447); B. Loring Schmidt, Salem, Ore. (B5-P-3443); William Price, Burlington, N. C. (B3-P-3163); Burlington Broadcasting Co. (R. B. Terry, D. A. Rawley, Stanley A. Cook, Rudy Fonville, d/b as Burlington, N. C. (B3-P-2490); Radio Corporation of Orlando, Orlando, Fla. (B3-P-2806); Contra Costa Broadcasting Co., Richmond, Calif. (B5-P-2964); Birney Imes, Tupelo, Miss. (B3-P-3148); J. I. Sims, Orangeburg, S. C. (B3-P-3169); Howard R. Imboden, Pulaski, Va. (B2-P-3346); R. B. Terry, D. A. Rawley, C. M. Waynick and H. A. Cecil, d/b as High Point Broadcasting Co., High Point, N. C. (B3-P-2491).

Like action was taken on the applications for new FM broadcast stations of the following:

Star-Times Publishing Co., St. Louis, Mo. (B4-PH-2); The A. S. Abell Co., Baltimore, Md. (B1-PH-27); Ashland Broadcasting Co., Ashland, Ky. (B2-PH-39); The Pulitzer Publishing Co., St. Louis, Mo. (B4-PH-30); The Gazette Co., Cedar Rapids, Iowa (B4-PH-77); Courier-Journal and Louisville Times Co., Louisville, Ky. (B2-PH-88); Gibraltar Service Corp., Philadelphia, Pa. (B2-PH-92); E. Anthony and Sons, Inc., New Bedford, Mass. (B1-PH-98); United Broadcasting Co., Cleveland, Ohio (B2-PH-99); Indianapolis Broadcasting, Inc., Indianapolis, Ind. (B4-PH-103); The Evening Star Broadcasting Co., Washington, D. C. (B1-PH-108); Globe-Democrat Publishing Co., St. Louis, Mo. (B4-PH-110); Tribune Building Co., Oakland, Calif. (B5-PH-113); The Sun Co. of San Bernardino, San Bernardino, Calif. (B5-PH-114); The Outlet Co., Providence, R. I. (B1-PH-22); Cherry & Webb Broadcasting Co., Providence, R. I. (B1-PH-84); Boston Edison Co., Boston, Mass. (B1-PH-100).

Like action was taken on applications for 500 kilowatts of the following:

WJZ, National Broadcasting Co., Inc., New York, N. Y. (Docket 3963).
WGN, WGN, Inc., Chicago, Ill. (Docket 3985).
KFI, Earl C. Anthony & Co., Los Angeles, Calif. (Docket 4095).
WJR, The Goodwill Station, Detroit, Mich. (Docket 4091).
WSM, The National Life & Accident Insurance Co., Nashville, Tenn. (Docket 4092).
WOR, Bamberger Broadcasting Service, Inc., Newark, N. J. (Docket 4110).
WGY, General Electric Co., Schenectady, N. Y. (Docket 4230).
WSB, Atlanta Journal Co., Atlanta, Ga. (Docket 4419).
WHO, Central Broadcasting Co., Des Moines, Iowa (Docket 5322).

MISCELLANEOUS

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification (B3-MT-1577) of construction permit (B3-P-2944) for extension of completion date from June 15 to August 15, 1942.

WCLS—WCLS, Inc., Joliet, Ill.—Granted license (B4-L-1669) to cover construction permit (B4-P-3455) which authorized move of transmitter.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1396).

WCAH—Board of Education, City of Buffalo, Buffalo, N. Y.—Granted modification (B1-MPED-12) of construction permit (B1-PED-24) for new non-commercial educational broadcast station, for extension of commencement and completion dates to March 27 and September 27, 1943, respectively.

WBEZ—Board of Education, City of Chicago.—Granted modification (B4-MPED-11) of construction permit (B4-PED-22, for new non-educational broadcast station), for change in transmitter location to 79 West Madison St., Chicago, for changes in antenna system, and extension of commencement and completion dates from 9-29-41 and 7-1-42, to date of grant hereof and 180 days thereafter, respectively.

W65H—WDRC, Inc., Hartford, Conn.—Granted modification (B1-MPH-90) of construction permit (B1-PH-35) for new FM station, for extension of completion date to 12-14-42.

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted modification (B3-MP-1581) of construction permit (B5-P-2422) for extension of completion date from June 1 to July 1, 1942.

WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Granted modification (B3-MP-1578) of construction permit (B3-P-1250) for extension of completion date from June 1 to August 1, 1942.

Chambersburg Broadcasting Co., Chambersburg, Pa.—Granted petition of applicant to dismiss without prejudice their application for a new station (Docket 6272), and ordered such application dismissed accordingly.

Mosby's, Inc., Anaconda, Mont.—Granted motion for continuance of hearing now scheduled for June 8 to July 8, in re application for a new station.

WHIP—George F. Courrier, Transferor; John W. Clarke, Transferee; Hammond-Calumet Broadcasting Corp., Licensee, Hammond, Ind.—Granted petition for reconsideration of application for consent to the transfer of control of Hammond-Calumet Broadcasting Corp., licensee of Station WHIP, from George F. Courrier to John W. Clarke; cancelled hearing heretofore scheduled, and granted application upon condition that nothing contained herein shall be construed as a finding upon or with respect to an approval of any future transfers (including relinquishments) of control of the licensee which might arise out of further stock transfers, the exercise of voting privileges thereon, or otherwise, or the future exercise of control over the station by anyone other than the licensee.

WKAL, Inc., Kalamazoo, Mich.—Denied petition for grant of application for a new station to operate on **1230 kc.**, 250 watts, unlimited time, and on its own motion the Commission amended the notice of hearing heretofore released on the application substituting an issue referring to the Commission's Memorandum Opinion of April 27, 1942.

WGRC—Northside Broadcasting Corp., New Albany, Ind.—Granted motion for leave to amend petitioner's application to request **790 kc.**, 1 KW, unlimited, using DA, and on its own motion the Commission continued hearing now set for June 22 on this application and that of Kingsport Broadcasting Co., Kingsport, Tenn., Docket 6249, until July 22, 1942.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted motion for continuance of hearing now set for June 19 to July 21, on application for construction permit (B3-ML-1130).

WMAN—Richland, Inc., Mansfield, Ohio.—Granted motion for continuance of hearing now set for June 25 to July 27 on application for renewal of license.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing now set for June 23 to July 23, on application for modification of license.

KRKO—Lee E. Mudgett, Everett, Wash.—Granted petition for leave to amend its application for construction permit to substitute "The Everett Broadcasting Co., Inc.," as the applicant and to change the application to a "modification of license" instead of a construction permit.

Minor E. Bragg and Robert C. Lipscomb, d/b as Murfreesboro Broadcasting Co., Murfreesboro, Tenn.—Granted petition to dismiss without prejudice application for construction permit (B3-P-3426).

WCLE—United Broadcasting Co., Cleveland, Ohio.—Denied motion for leave to intervene in the hearing on the applications of WGAR, Cleveland, and WADC, Tallmadge, Ohio, for construction permits to operate on **1220 kc.**; exceptions noted by counsel for petitioner.

APPLICATIONS FILED AT FCC

600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Authority to determine operating power by direct measurement of antenna power.

620 Kilocycles

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to install new transmitter, changes in directional antenna for day and night use and increase in power from 500 watts night, 1 KW day to 5 KW. Amended: to request modification of license for increase in power from 500 watts night, 1 KW day to 1 KW, using directional antenna night.

630 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—License to cover construction permit (B5-P-2663) as modified, for increase in power, install new transmitter, and make changes in directional antenna.

KVOD—Colorado Radio Corp., Denver, Colo.—Authority to determine operating power by direct measurement of antenna power.

640 Kilocycles

WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit to install new transmitter and directional antenna from sunset at Beckley, W. Va., to sunset at Los Angeles, Calif., change frequency from **1240 kc.** to **640 kc.**, increase power from 250 watts to 1 KW, and change hours of operation from unlimited time to limited time. Facilities of WHKC contingent on WHKC going to new frequency. Amended: to omit request of new transmitter, directional antenna, and facilities of WHKC, and to request **560 kc.**, 100 watts night, 250 watts day, unlimited time.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-P-3261, as modified, for a new station) for extension of commencement and completion dates from 1-13-42 and 7-13-42 to 7-13-42 and 9-13-42 respectively. Amended: to request extension of completion date to 1-13-43.

1300 Kilocycles

WOOD—King Trendle Broadcasting Corp., Grand Rapids, Mich. —Modification of construction permit (B2-P-2874, which authorized increase in power, installation of new transmitting equipment and directional antenna for night use, and move of transmitter and studio) for changes in type of transmitting equipment and changes in directional antenna.

1310 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—License to cover construction permit (B3-P-2641) as modified, for increase in power, installation of directional antenna for night use, and move of transmitter.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Authority to determine operating power by direct measurement of antenna power.

1330 Kilocycles

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit to increase power from 1 to 5 KW, install new transmitter, install directional antenna for night use and move transmitter.

1400 Kilocycles

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—License to cover construction permit (B3-P-3488) for rebuilding station destroyed by fire and move studio.

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Authority to determine operating power by direct measurement.

1490 Kilocycles

KOVC—KOVC, Inc., Valley City, N. Dak.—Modification of license to cover changes in vertical antenna affected by storm.

TELEVISION APPLICATION

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile. —Modification of construction permit (B1-PVB-46) as modified for a new television relay station, requesting extension of completion date from 7-7-42 to 1-7-43.

MISCELLANEOUS APPLICATIONS

WEJO—National Broadcasting Co., Inc., Portable-Mobile (Area of Cleveland, Ohio).—Modification of license for change in area normally served by station from Cleveland, Ohio, to San Francisco, Calif., and change in standard station with which it is to be used from WTAM, Cleveland, Ohio, to KPO, San Francisco, Calif.

KEJG—National Broadcasting Co., Inc., Portable-Mobile (Area of Denver, Colo.).—Modification of license for change in area normally served by station Denver, Colo., to San Francisco, Calif., and change in standard station with which it is to be used from KOA, Denver, Colo., to KPO, San Francisco, Calif.

KVOS—KVOS, Inc., Bellingham, Wash.—Modification of construction permit (B5-P-3237) for installation of new transmitter, install directional antenna for day and night, change in frequency, increase in power and move transmitter, requesting extension of completion date from 6-28-42 to 12-28-42.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

California Brewing Association—An amended and supplemental complaint charging misrepresentation in the sale of Acme Beer has been issued against Acme Breweries, trading as California Brewing Association, 762 Fulton St., San Francisco, and Acme Brewing Co., 2080 East 49th St., and Bohemian Distributing Co., Ltd., 2060 East 49th St., Los Angeles. (2888)

Roebling Luggage Corp., 121 Liberty St., New York, in a complaint is charged with misrepresentation in the sale of trunks, luggage, leather goods, sporting goods and novelties. (4771)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Maurice L. Myers, trading as Charles B. Joyce Co., 2425 North Halstead St., Chicago, has been ordered to cease and desist from selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. Commission findings are that the respondent, dealing in radios, clocks, flashlights and other novelty merchandise, sold assortments of articles so packed and assembled as to involve the use of a lottery scheme when the merchandise was distributed to consumers. One assortment, according to findings, consisted of a radio together with a punch board device. (4476)

Segal Lock & Hardware Co., Inc., its subsidiary, Norwalk Lock Co., and Louis Segal, president of both corporations, all of 261 Broadway, New York, has been ordered to cease and desist from misrepresentation in the sale of a lock cylinder designated the "Segal Pick-Proof," and from unfairly disparaging competing products. (3896)

Shepherd's Tailoring Co., Inc., and Walter H. Hahn and William Trignani, officers and directors of the corporation, 1102 Walnut St., Philadelphia, have been ordered to discontinue lottery methods and misrepresentation in the sale of men's suits or other garments. (4716)

A. E. Staley Mfg. Company—Prohibiting price discriminations in connection with the sale of glucose, in violation of the Robinson-Patman Act, a cease and desist order has been issued against A. E. Staley Manufacturing Co. and The Staley Sales Corp., Decatur, Ill. (3803)

Ultra-Violet Products, Inc., 5205 Santa Monica Blvd., Los Angeles, has been ordered to cease and desist from misrepresenting the therapeutic value of a lamp designated "Life Lite," which radiates ultra-violet rays and is intended for use in the treatment of various ailments and diseases. (4407)

Webster Electric Co., Racine, Wis., has been ordered to cease and desist from misrepresentation in the sale of fuel units for oil burners. According to Commission findings, the respondent formerly advertised that its fuel unit was the only device of its kind which had the outboard bearing outside of the seal, and that its unit had the largest capacity of any unit on the market, when such were not the facts. The Commission's order directs the respondent to discontinue these representations. (4456)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Carleton Woolen Mills, Inc.—A stipulation to cease and desist from branding a wool product known as "collar cloth" in a manner contrary to the provisions of the Wool Products Labeling Act of 1939 has been entered into by Carleton Woolen Mills, Inc., Rochdale, Mass., and Edward P. Leveen, Sr., and Anna M. Leveen, co-partners trading as Edward P. Leveen & Co., 19 Union Square, West, New York. The product, used as a reinforcement for the under side of coat collars, is manufactured by the Carleton Company and sold and distributed to the trade by the Leveen co-partnership. (3489)

Coffelt Chemical Co., Inc., 700 Elton Ave., New York, have entered into a stipulation to cease and desist from representing that the preparation designated "Coffelt's Never Failing Hair Coloring" nourishes or rejuvenates the hair, or, through use of the word "restores" or by any other means, that it restores the original or natural color of the hair. (02992)

Electric Household Utilities Corp., trading as Hurley Machine Division of Electric Household Utilities Corp., 54th Ave. and Cermak Road, Chicago, in the sale of washing machines, stipulated to cease advertising that "Thor Washers" are guaranteed or warranted, without plainly disclosing the exact terms and conditions of such guaranty or warranty. (02991)

General Foods Corp., 250 Park Ave., New York, stipulated it will cease representing that in cake baking its product designated "Swans Down Cake Flour" is preferred to any other flour by "three times as many women," or that three times as many home bakers use "Swans Down" as any other cake flour, without plainly excluding from such comparison all-purpose flour. (02993)

Gloucester Fish Pier Fillet Co., Inc., Gloucester, Mass., entered into a stipulation to cease and desist from use of the word "perch" to describe rosefish, and the word "perch," either alone or with the words "sea" or "ocean," in referring to rosefish, to imply that the fish so designated is perch or yellow perch. The stipulation provides that when the words "sea perch" or "ocean perch" are used to refer to rosefish, they shall be accompanied by the word "rosefish." (3491)

Gordon Brothers, 654 Grand St., Brooklyn, engaged in the sale of a portable Turkish bath cabinet designated "Perspir-ator," entered into a stipulation to discontinue representing that use of the device is a cure or remedy for excess weight, or that it will keep the pores open, cure colds, help replace sallow sluggish skin with a healthy youthful glow and help to eliminate blackheads, or the cause of skin blemishes. (02994)

Mahdeen Co., Nacogdoches, Tex., has entered into a stipulation to cease representing that the preparation designated "Mahdeen" is a competent treatment or an effective remedy for dandruff, itching scalp or falling hair; that millions of users have found that Mahdeen produces or maintains perfect scalp health and revitalizes hair health; that Mahdeen has the capacity to eradicate dandruff or accomplish more than removal of the exfoliated scales of dandruff; and that the preparation promotes the growth of hair and is a competent remedy for the treatment of exematic scalp trouble or any similar affliction. (3487)

Pompeian Company, Inc.—An amended and substitute stipulation to discontinue certain representations in the sale of a cleansing agent for the skin designated "Pompeian Milk Massage Cream" has been entered into by The Pompeian Co., Inc., 4201 Philadelphia Ave., Baltimore, and The Joseph Katz Co., 16 East Mount Vernon Place, Baltimore, an agency which disseminated advertisements for the Pompeian Company. (02736)

J. L. Prescott Co., 27 Eighth St., Passaic, N. J., stipulated to cease and desist from representing that its washing and bleaching solution designated "Oxol" is a sterilizer which kills all germs in dish water within three minutes after being added; that it removes grease stains and removes all stains from tile and porcelain; that Oxol is kind to the hands; and that it has been tested on the viri of common colds and measles and has been found to destroy them. The stipulation is supplemental to Stipulation No. 01239, accepted by the Commission in 1936. (01239)

Raven Mills, Inc., and Lee Earl Simpson and Theodore S. Simpson, Jr., trading as Raven Sales Co., 1215 Broadway, Council Bluffs, Iowa, stipulated that in the sale of a livestock remedy designated Raven "Stopzit" they will discontinue making any representation, the effect of which causes purchasers to believe that the product constitutes an adequate treatment for white scours or scours in sheep, swine or cattle, or that the condition known as white scours is caused by changes in the weather. (3490)

Velva Supply Co.—A stipulation to discontinue certain representations in the sale of permanent wave pads designated "Patriot Croco Pads" has been accepted from Herbert, Sidney R. and Elmer Lipman, trading as Velva Supply Co., Velva Beauty Products and Evans-Crowder Co., 4145 Cass Ave., Detroit. (3488)

FTC CASES DISMISSED

Allegations of unfair competition in violation of the Federal Trade Commission Act, contained in five complaints against cosmetic distributors, have been dismissed by the Federal Trade Commission. The complaints, however, retain the allegations that the respondent distributors have violated the Robinson-Patman Antidiscrimination Act.

The complaints originally alleged that the respondents violated both acts in furnishing the services of demonstrators of cosmetics to the respondents' merchant customers.

The respondents are Richard Hudnut, Hudnut Sales Co., Inc., and William R. Warner & Co., Inc., all of New York (2973); Elmo, Inc., and Elmo Sales Corp., Philadelphia (2974); Charles of the Ritz, Inc., and Charles of the Ritz Distributors Corp., New York (3017); Primrose House, Inc., New York (3039); and Elizabeth Arden, Inc., Elizabeth Arden Sales Corp., and Florence N. Lewis, principal stockholder, all of New York (3133).

The remaining counts of the complaints allege violation of the Robinson-Patman Act through the respondents' practice of furnishing to some customers the services of demonstrators which are not granted to other competing customers on proportionally equal terms.

The complaints against the Richard Hudnut and Elizabeth Arden organizations also retain charges of price discrimination in violation of the Robinson-Patman Act.

The NATIONAL ASSOCIATION OF BROADCASTERS
Reports
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 25, June 26, 1942

Sanders Bill Hearings

On Thursday of this week Mr. Fly continued with his criticism of the Bar Association's and NAB's proposals. Under questioning he conceded that the Act could appropriately be amended by adoption of the NAB proposal for declaratory rulings provided they rest in the discretion of the Commission and are not mandatory.

Representative Bulwinkle strongly expressed the feeling that the two-year term of licenses is much too short considering the investment licensees must make, making a comparison with railroads. Under vigorous questioning on this point, Mr. Fly agreed to get together with him to consider appropriate amendments.

Likening the Network Regulations to the Holding Companies Act, Mr. Sanders commented on the fact that with about a line and one-half of authority in the Communications Act, and without further declaration of policy by Congress, the Commission came out with the Network Regulations dissolving the networks in 90 days, whereas the public utilities had 10 years to dissolve. To which Mr. Fly retorted that that regulation (dual network) is now removed from the books. Replying to a question by Mr. Halleck, Mr. Fly stated that removal of it from the books was not an admission that the Commission was wrong in putting it on the books. Mr. Sanders inquired if the requirement of frequent renewals didn't have something to do with the acceptance of some of the regulations by NBC. Mr. Fly replied in the negative.

The hearings will resume Tuesday, June 30, at 10 a. m.

Last Friday, Mr. McGranery asked Mr. Fly about the "mackerel in the moonlight" episode at the St. Louis Convention. We quote from the unrevised transcript:

"Mr. McGranery. Mr. Fly, speaking of the public interest, can you tell us something now about how you feel with respect to the public interest in your program service with the broadcasting stations, and your operations; operations in the program service?

"Commissioner Fly. You are asking me as to whether it is generally satisfactory, and the answer is—

"Mr. McGranery. I would like to have a complete picture of what you feel or how you feel with respect to the operation of the program service under present-day conditions.

"Commissioner Fly. Well, of course, you gentlemen understand—

"Mr. McGranery. In other words, I think that this committee is entitled to some definite and specific knowledge as to what you consider in the public interest, so that we will have some fixed policy.

"Commissioner Fly. Now, you gentlemen have placed upon us a certain fundamental line of duty. You have delineated our functions and, of course, we have got to pass judgment on the question as to who will render the best public service and——

"Mr. McGranery. I am not speaking about that now. Mr. Fly.

"Commissioner Fly. Well, I want to make this clear, and then we have to form a judgment upon that generally in advance and then at some later time we may have to review the conduct of a broadcaster as a whole; review the general quality of the broadcasting as a whole, in reviewing his application say on renewal proceedings.

"But, I am going to come back, Mr. McGranery, to your question.

"I want to get this problem delineated, but you have said that we do not have any power of censorship. Therefore, I have not taken upon myself at any time—and incidentally, there has been a lot of talk here about censorship—I might say that during my time at the Commission there has been no proceedings started on the basis of the quality of the program conduct of a station. All of this talk about censorship is just bringing in a bugaboo, because it has not existed.

"I think that Mr. Miller of the National Association of Broadcasters said that some broadcasters might make some little technical slip and then he would go off of the air; his life was at stake.

"Many of them have made many slips, and many of them have done a bad job of broadcasting. I do not make that charge in general. But, the point that I make is that not only has no station been taken off of the air for that sort of thing, during the time that I have been there. There have been no proceedings of that sort of thing instituted and that sort of a suggestion I think is wholly unwarranted, and I believe is brought in for some other purpose that is not so readily obvious.

"Now getting back to Mr. McGranery's question: I do not know whether this committee would want me to comment generally upon the program conduct of the radio stations or not. I will say that there are some things that are mighty good in that radio service.

"Mr. McGranery. That is not my question, Mr. Fly. I am sorry, but my question was, what is your idea of the public service with respect to the operation of the broadcasting services now——

"Commissioner Fly (interposing). Well, I would say now, sir——

"Mr. McGranery (continuing). With respect to their programs?

"Commissioner Fly. I would say now that the problem of information is perhaps the one which is predominant, and also information; news; commentary; the forum, the equal opportunity of candidates to go on the air; the debate of controversial issues, always bearing in mind the necessity for absolutely fair treatment, where one side of the controversial issue is presented, then, equal facilities be given for presentation of the other side. That whole process of information, of news, of fair comment, of public debate upon vital public issues—I think that probably he is today the most significant feature of the service.

"I think the educational features are important.

"I do not think that by and large, the entertainment feature is in times of peace not only important, but in times of peace the entertainment features may be, and maybe it is predominant, because in the long run, the audience is attracted and held by means of entertainment, and that provides a useful and helpful diversion for the citizens generally and will tend to hold the audiences for more serious operations that come along when you move into your debates on public issues and that sort of thing.

"I believe now that the general field of views; comment; debate; and education; entertainment—I believe those roughly are predominant.

"Mr. McGranery. Has the Commission ever discussed utilizing its licensing power to control communication of facts and opinion?

"Commissioner Fly. No; I do not think that the Commission has ever discussed that. It has always been an obvious fact that the Commission could not utilize its licensing power to that end and the Commission has not utilized it to that end, and the Commission has stayed so far away from that, that I think the answer is, no, we just have not discussed it.

"Mr. McGranery. It is true, or I have been certainly badly misinformed, that your law department recommended it.

"Commissioner Fly. No.

"Mr. McGranery. Your law department did not?

"Commissioner Fly. No.

(Continued on page 356)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

SANDERS HEARINGS

(Continued from page 355)

"Mr. McGranery. No one in connection with your law department recommended that?

"Commissioner Fly (interposing). Let me say—

"Mr. McGranery. Just let me finish my question. That you utilize your licensing power to control the communication of facts and opinion?

"Commissioner Fly. Oh, no; no; that has never been suggested.

"Mr. McGranery. What about the question of the foreign language broadcasters?

"Commissioner Fly. Would you ask a more specific question, sir? That is a big subject and I can talk an hour on it, and I do not want to take your time.

"Mr. McGranery. I realize that; but have you at any time indicated to the foreign language broadcasting people what they should do and what they should not do?

"Commissioner Fly. I do not think I have ever talked to the foreign language people generally. I have been very sympathetic with the position of the foreign language broadcasters. I met with them, I think about 20 of them, a couple of years ago, and we discussed the problems of mutual interest, and in recent months I have met with some representatives, committees of foreign broadcasters.

"You see what is happening there, you have here oh, as many as 200 stations, that are broadcasting in foreign languages, including German and Italian, in particular. Well, that has led to a flood of complaints, and it has led to a very substantial fear that material of a subversive character might be fed out over the broadcasting stations in those foreign languages, and I must say that they have operated under some handicap in view of the fact that they have been in the foreign language field, and there has been a pretty serious effort on the part of the industry, and it has had the cooperation of the Government generally, to try to see that there is nothing subversive in the character of the material that is put out over those stations.

"We are prepared to cooperate with the industry on that and with the committee which they have set up. For example, if they want the station monitored, want a complete record of the output of the station, why, we would furnish it to them, and in general we would help them in dealing with their own problems in any way that we can.

"I also say that there have been no proceedings before the Commission; no question on renewal of license, or on revocation of license, that has been raised because of the operations in that field; but it is a pretty difficult situation due to the questions that have naturally arisen when people generally hear the foreign languages, and particularly the language of our enemies going out over the air.

"At the same time, I think I ought to make it clear that I have clung to the thought from the outset that since these stations are owned by American citizens who are cognizant of their duties to the United States and to the cause for which we are fighting, I have felt there that those stations were really a great asset to the country; that with a great number of people, that is the only way to get across the facts as to what this country is about and what this country represents in terms of the international situation, and really to keep the United States viewpoint in there.

"If that were not done, then people who cannot speak the English language would be driven to sources exclusively in their own languages and to sources that are much less responsible than the American citizen who is broadcasting.

"Mr. McGranery. Did you ever discuss with them the National Association of Broadcasters, or their association with the National Association of Broadcasters?

"Commissioner Fly. Yes, we had some discussions.

"Mr. McGranery. Did you tell them that you would have nothing to do with them if they associated themselves with the National Association of Broadcasters?

"Commissioner Fly. Well, hardly that. What I did do was this: You see, there were competing organizations in this industry, that is, trade associations, and certain preliminary efforts had been made to join the group in their work with one association or the other, then at the time this subject came up, there was a move to shift over from cooperation with a competing association to this other association and I told them I did not think that so far as we were concerned we could take any hand in that and if we were to cooperate in the work it would have to be free of any of those competing groups.

"Mr. McGranery. I do not follow you on that. You said that, as I understand, you told them that you did not want them to associate with the National Association of Broadcasters at all.

"Commissioner Fly. Well, the same is true of the other competing groups, with the conflicts there of the Government with regard to cooperation, it could not move in and pick out one association to move along with when there was a conflict and a movement away from another association.

"Mr. McGranery. Well, what do you have against the National Association of Broadcasters?

"Commissioner Fly. Well, the case there simply is that it is dominated by the two big networks.

"Mr. McGranery. I mean where, in the law, do you find the authority to justify your telling any group that they must belong to a certain association or they cannot belong to it?

"Commissioner Fly. I never told them any such thing. I have always told these broadcasters, so far as we were concerned, that they can belong to any association that they want to. I have never suggested to them that they cannot belong to any association and as a matter of fact, the holders of these licenses are going in every day as members of these different associations.

"Mr. McGranery. But your feelings against the National Association of Broadcasters is rather strong, is it not?

"Commissioner Fly. No; no; my feeling against the National Association of Broadcasters is not strong; but the National Association of Broadcasters has moved in on this network fight, purporting, as you see, to represent the individual stations throughout the country; but in fact representing the two big networks, as against the other network and as against the views of a great number of the stations throughout the country, and doing that without consultation with the stations throughout the country, and naturally when that happens, and when there are other evidences that an association like that is under the domination of the two big networks, they have got to be recognized for what they are.

"Now, so far as dealing with them is concerned, we will deal with all of them, any and all of the time, on the basis of what they are.

"Mr. McGranery. Now, Mutual has withdrawn from the National Association of Broadcasters, have they not?

"Commissioner Fly. I do not think Mutual has any membership in it, sir. Mutual does not own any stations. And, I do not think the networks, as such, have membership.

"Mr. McGranery. Did you attend the convention in St. Louis?

"Commissioner Fly. I certainly did.

"Mr. McGranery. And——

"Commissioner Fly. And, I will give the complete record on that, if you want it.

"Mr. McGranery. And, you withdrew from that convention?

"Commissioner Fly. Pardon me.

"Mr. McGranery. You withdrew from that convention?

"Commissioner Fly. Well, I stayed at St. Louis for a considerable time, perhaps too long. I would not say that I withdrew from the convention.

"Mr. McGranery. Did I get you correctly, where you said that you had no feeling particularly against the National Association of Broadcasters?

"Commissioner Fly. That is right.

"Mr. McGranery. Just a moment.

"Commissioner Fly (interposing). I think, by and large——

"Mr. McGranery. Now, just a moment.

"Commissioner Fly (interposing). The National Association of Broadcasters——

"Mr. McGranery. Just a moment.

"Commissioner Fly. I want to make that point clear.

"Mr. McGranery. Just a moment; let me complete my question.

"Did you say that you had no feeling against the National Association of Broadcasters?

"Commissioner Fly. I did.

"Mr. McGranery. I have a direct quotation here in which it is reported that you said that 'The National Association of Broadcasters is like a dead mackerel in the moonlight. It shines and stinks.'

"Commissioner Fly. That is my choice phrase, sir. And, would you read the entire quote? I don't say the National Association, I believe, even though it has been two years. I think you will find you omitted a few words there.

"Mr. McGranery. Well 'It is like a dead mackerel in the moonlight. It shines and stinks.'

"Commissioner Fly. Would you read all of the words there? I think it referred to the management, did it not?

"Mr. McGranery. You go ahead and tell us now.

"Commissioner Fly. Well, you have the speech there.

"Mr. McGranery. That is right.

"Commissioner Fly. I cannot give the speech again.

"Mr. McGranery. I am not asking you to. The only thing that I am asking you to do is reconcile your first statement that you had no feeling against the National Association of Broadcasters——

"Commissioner Fly. You will find the key to the answer if you will give the full quote. As I recall the quote, it referred to the management and that is your answer. It was quite explicit at the time.

"I have never expressed any ill will toward that gathering of broadcasters. They are a fine lot. They are somewhat misled.

"Mr. Crosser. Are you through, Mr. McGranery?

"Mr. McGranery. No, sir; I am not.

"You opposed the admission of the networks to the National Association of Broadcasters, did you not?

"Commissioner Fly. I did not.

"Mr. McGranery. Did not?

"Commissioner Fly. No, sir. My position on the entire thing is that whatever the Association is in fact, and whatever it represents, we will meet with it and deal with it on that basis.

"Mr. Crosser. Have you concluded, Mr. McGranery?

"Mr. McGranery. No. I have just this one other question, Mr. Chairman.

"Has the Commission ever made a comparative valuation of the program service between the N. B. C., the C. B. S. and the Mutual?

"Commissioner Fly. No, sir. The only thing we did do, at the request of the Senate Interstate Commerce Committee is we made a little survey of the public discussions. That applied to all of the broadcasters, generally. I do not think there has ever been anything though that could be deemed a comparative study of program service with one group as against the other.

"Mr. McGranery. That is all, Mr. Chairman.

"Mr. Crosser. Mr. Sanders.

"Mr. Sanders. You say that your reference to the National Association of Broadcasters as a dead mackerel and it shines and stinks in the moonlight, is intended to refer to the management and not to the Association.

"Commissioner Fly. Let me say——

"Mr. Sanders. Let me finish my question. Is that the differentiation you make?

"Commissioner Fly. Well, sir, have you got the statements that were made there at St. Louis?

"Mr. Sanders. No, sir; the first I ever heard of it was just this colloquy between you and Mr. McGranery.

"Commissioner Fly. If you would read those two speeches—and I will be glad to get them for the record—that would give you the whole story, and give you precisely what was said at the convention; what was said about the Government and about me and the Commission, and what I said about the management of the Association. It is very good reading, and I shall be happy to put them both in this record for you gentlemen.

"Mr. McGranery. In other words, there is a very happy relationship existing between the Chairman of the Commission and the National Association of Broadcasters.

"Mr. Sanders. I am very serious about this. We are engaged in a serious controversy or rather serious investigation which is controversial, and if one of the Federal commissions or Commissioners has such a strong feeling toward a group of individuals who have a very vital interest at stake before that Commission, it seems to me that we should get to the bottom of it, and I understood you to say—I never heard of this before—maybe I do not read the papers as much as I should, but I read all I can anyway, but—

"Commissioner Fly. You understand—

"Mr. Sanders. Let me finish my question.

"Mr. Crosser. Let him complete his question.

"Mr. Sanders. As I understand your reference to the dead mackerel stinking in the moonlight, was to the management and not to the Association?

"Commissioner Fly. Yes, sir; and that was on a particular occasion two years ago, and I think, sir, if you are going into that, you had better have the full record on it. Let me submit it.

"Mr. Sanders. I have no objection.

"Commissioner Fly. I would be happy to read the whole statement, if you want it.

"Mr. Sanders. Well, I think that is up to you. You can submit anything that you want to. I am sure that the Committee will be pleased to let you insert in your remarks anything that is relevant and material.

"But, the question I had in mind is how can you differentiate between the management and the network; the management and the Association; the management, presumably representing the major control of the network Association—and from a reading of the newspapers, I understand that the present management has been recently re-elected.

"Commissioner Fly. I was distinguishing between the management group of the Association and the hundreds of members, broadcasters, and that incidentally is a distinction that is traditional—

"Mr. Sanders (interposing). Well, but you try—

"Commissioner Fly. In many, many cases. To take an outstanding case, I assume that all of you gentlemen disapprove of Mussolini. I doubt if any of you disapprove generally of the great bulk of Italian people.

"Mr. Sanders. Well, we are trying specifically to get the Italian people to oust Mussolini and put in another group. Are you trying to get the National Association of Broadcasters to oust the present management and put in somebody else?

"Commissioner Fly. I am doing nothing, but if you want my suggestion, I will tell you, I think it would be a good idea.

"Mr. Sanders. Do you believe—

"Commissioner Fly (interposing). I really think it is high time that these stations—and this goes basically in this network fight—and that is all you are talking about—into this network fight, as to whether a limited number of individuals, two or three in New York, are going to dominate all of the local broadcast stations throughout this land.

"Now, that is your question.

"Now, if you license the people, or authorize us to license them in their localities, and you intended that we should tell them that they owe no duty to their localities; pay no attention to the local public needs; pay no attention to the duty of selection of programs from the best sources of available material, whatever they may be, and that they must be dominated from New York, why then I think that the law ought to be written up in that way and hand this thing over to those people. And, that is the same thing that you have got when you talk about these hundreds of broadcasters who are brought in there and that they are brought under the domination of the two big networks—and, don't you think, sir, that they do not have an influence, when a network with that contract, with that affiliation contract and with all of the big juicy advertising that goes with it; when that network holds the life and death power over those stations throughout the country, do not think that they do not have an influence over those stations through that fact alone. In addition to that they are in control through the exclusive option contracts of all of the choice hours of the stations throughout the land, and you can see there that they have complete control of them, and if you want to see whether that is true or not, move in on your local station and try to speak to your home people on a local public issue of paramount importance; try to move in sometime when NBC and Columbia have got a program scheduled and see where you land.

"Mr. Sanders. I have one advantage over you in that I think I have not any particular emotion or passion or prejudice regarding these various people.

"Commissioner Fly. I want to say something on that, sir.

"Mr. Sanders. I wish you would.

"Commissioner Fly. I have only one emotion here and that is that this is a public business and that these broadcasters are in there to render a public service, and when we license them, just as you have authorized us to do, to serve their own localities, and serve those localities to their best interests, and to exercise their own judgment in doing so and in making those facilities available for local purposes and choosing those programs for the best sources available, whatever they may be, whether it is A Network, B Network, or X Network; then if that is emotion, then I want to be on that side; and you may call it emotion, but that is the only feeling I have on the subject. That is my philosophy of the function of a broadcaster.

"Mr. Sanders. Do you mean that the people whom you characterize as a dead mackerel stinking in the moonlight are a part of the public whom you and I both are presumed to serve?

"Commissioner Fly. No; that is a very small group of individuals under the domination of two networks.

"Mr. Sanders. They are not part of the public?

"Commissioner Fly. Pardon me.

"Mr. Sanders. They are not a part of the public, then?

"Commissioner Fly. Well, certainly; the whole industry; the whole broadcasting industry should not be made to serve them exclusively as distinguished from the public.

"Mr. Sanders. That was not my question.

"Commissioner Fly. Well, that is my answer.

"Mr. Sanders. I am trying to find out whether you figure that these 'dead mackerel' are a part of the public.

"Commissioner Fly. No; they are insignificant so far as the public is concerned, except as they are permitted to move in here and dominate this group.

"Mr. Sanders. And, as far as you are concerned, they have no rights at all?

"Commissioner Fly. They have no rights to dominate this industry.

"Mr. Sanders. That was not my question, Mr. Fly.

"Commissioner Fly. They have the same rights as any other individual with comparable positions. I have said nothing about their rights, and you know that I have not.

"Mr. Sanders. I have, and I am trying to get your answer. Further, do you believe that this feeling, rather strong feeling, characterizing a large segment of the public that naturally has to deal with your commission, characterizing it as a dead mackerel that stinks in the moonlight, is a condition that should be taken into consideration by the Congress in dealing with this legislation?

"Commissioner Fly. Well, if you want to turn this vast industry, with its significance to 130 million people over to a couple of men in New York, you can do it. You can go to work and write an act along these lines, and if you adopt some of the proposals that are brought here by the National Association of Broadcasters, and by the Bar Association, that is precisely what you are going to do; but so far as I am concerned, this industry belongs to the people, and that is where I am going to stick.

"Mr. Sanders. Let me get this straight.

"Commissioner Fly. I think it is about time, sir. I really think—I do not think at any time, sir, you have wanted to move in here on behalf of a monopoly and on behalf of mechanism that controls the only practical instrument of free speech we have in this country. I do not think you want to see that lodged in single hands, but I do want to say that if you confuse the purposes of your bill—and those purposes, I take it, were laudatory—if you confuse those purposes with the purposes proposed by these other gentlemen, then you have got an entirely different kettle of fish.

"Mr. Sanders. You are quite right in your statement as to my purpose. I personally am not wedded to the recommendations of the Bar Association.

"My purpose was to have an investigation and a part of the reasons for that investigation was the statement that was made on frequent occasions that you, as Chairman, were so prejudiced against two of these organizations that they could not get a square deal before you, and I am wondering if that is true. I do not know. I have never had any dealing with you or these broadcasting associations, or with the networks; but I am wondering now, and I am asking this really——

"Commissioner Fly. I hope that you will ask it and let me answer it.

"Mr. Sanders. Let me finish my question here.

"Commissioner Fly. I hope so.

"Mr. Sanders. You say that the CBS and the NBC, you characterize, I take it, as 'dead mackerel'. Would you put the Mutual in the same category of fish?

"Commissioner Fly. May I answer the first question first, as to whether I am prejudiced against two of the networks. I think that is an important question.

"Mr. Sanders. I do, too.

"Commissioner Fly. I think it is important that you let me go into that.

"I do not think that any witness has come here and endeavored to say that I have shown any prejudice against any one of these networks.

"Mr. Sanders. You said that you referred to them as dead mackerel stinking in the moonlight. You are the only witness who has done that.

"Commissioner Fly. I have been doing this job of investigating, and so far, I know that the record fails to show any such contention on the part of any individual. I have given my answer to that.

"I think the National Broadcasting Company, and the Columbia Broadcasting System are splendid organizations in many ways. They are doing a vast public service that ought to be preserved and in many ways they are rendering an essential public service and in many ways they are doing a high quality job, even though I do not approve of all of it.

"Now the criticism that I have is a basic criticism. It is not one of feeling. It is not one of emotion. It is one of basic philosophy and it is philosophy which you gentlemen have written into the law, and which I am sworn to abide by, and that is that this is a public service; that when these licenses are handed out to the licensee then they get not merely the privilege, but the duty of the license, and they are obliged to serve the public under that license; to exercise that responsibility themselves, and to serve their own local public interests as well as other interests, and when these two networks dominate those stations throughout the country; throughout the important hours of the day and of the night, and tell them what they must take and what they may not take; when in effect they have a block booking on their time, and in general exercise a domination over all of those individual broadcasters, then I think to that extent they are wrong, and I criticize their business methods.

"I have no quarrel with any of these individuals, and I have no quarrel with a great amount of their public service activities; but when it comes to this one issue as to their dominating the entire industry, there we have differences of opinion and I think you do too, sir.

"Mr. Sanders. You do not put the Mutual in the same 'kettle of fish' as it were?

"Commissioner Fly. Well, now, I have explained why I did not do that; but to the extent they adopt the practices, I would put them in there. The Mutual has not control of all of the time of its affiliated stations throughout the country with exclusive options; and those stations have had a freedom in operation of their own stations and selection of programs and in station policies.

"Now, to that extent, the Mutual operation does not run counter to the law and to the basic philosophy which you gentlemen have put in here; but whenever and to the extent they move into that field of exclusive optioning to control the entire life of the stations throughout the country, then they are going to come under precisely the same criticism as the other nets.

"I must say that the field of differences between the Commission and these other two nets, has narrowed down to relatively small points.

"We have the cooperation of the two big nets over a substantial area of this field and particularly the National Broadcasting Company has taken substantial steps to move to bring its operations in accordance with those regulations.

"Now, in many ways they have been very cooperative. We have no running fight with them. As a matter of fact, we are working shoulder to shoulder with them and helping them to adjust their operations in accordance with the rules.

"Now, the rules call for separation of the two national networks. I have found the company owned by the NBC; I have found cooperation and on my end, I have tried to cooperate with them in an effort to set up those two networks separately and to get that Blue Network not merely on an independent basis, but on a sound business basis, and to enable them to make an effective disposition of it in due course, and in many other ways we have an extensive area of cooperation, and I do not want, with any speechmaking here, to create the impression that there are such wide divergencies of opinion as might be suggested by isolated statements.

"Mr. Sanders. You recognize the fact that to make our society work it is essential, of course, that we all agree on this, that people that appear before courts and before bureaus having quasi-judicial powers, such as yours, should not only get a square deal, but that they should have every confidence that they are getting a square deal; that is, that they not only get it, but believe that they get it—not in every case, of course, but society as a whole should believe it. That is true, is it not?

"Commissioner Fly. Well, of course that is true, and what evidence is there on that point?

"Mr. Sanders. Well, the point I am getting at——

"Commissioner Fly (interposing). Frankly, sir, I do not think a statement of that kind is warranted unless we have evidence on it.

"Mr. Sanders. The only evidence I have is your own statement here today, and I have been wondering——

"Commissioner Fly (interposing). I have tried to make it very clear——

"Mr. Sanders. Let me finish my statement.

"I was wondering, if I represented either of these networks, in view of the statement that was attributed to you by Mr. McGranery, and your statement here this morning, if I represented them before you, I would wonder if you felt as kindly toward me as I would want my judge to feel.

"Commissioner Fly. On what issues?

"Mr. Sanders. If you thought that I was a dead mackerel that stunk in the moonlight.

"What I am getting at is, do you not think that those kind of remarks are——

"Commissioner Fly (interposing). May I say——

"Mr. Crosser. Let him finish his question.

"Mr. Sanders (continuing). —very unfortunate.

"Commissioner Fly. That was not directed to issues of this kind. That was directed to the functioning of a convention in which I had what turned out to be a pretty significant part. At the moment I did not think of any significance there; but that had to do with the functioning of the convention and with two or three men who were running the convention. The text of it will show you so. It has nothing to do with the quality of the men in these big networks generally, and it has nothing to do with the quality of the job that they are doing over the wide area, and I do not want, by any seeming opposition to the ideas which your questions reflect here, to create any basis of dissension where we have a cooperative approach.

"I think we should continue to have it, and I do not think it should be impaired, and I tell you again, sir, that the only differences are differences on the basic policy in connection with the control of the broadcasting stations of this country.

"Now, that is basic, and that is something that is not going to be settled by dialectics or forensics. That is an important basic issue which the courts are going to decide, and if the courts do not hold that the broadcasters of this country do control their own business, then I think that Congress ought to write it into the law and affirmatively express it.

"Mr. Sanders. Some of the witnesses who have testified here have suggested the advisability of separating the necessary prosecuting end of this commission from the judicial end, and, of course, any bureau, any commission, charged with the enforcement of the law has the dual purpose there, one, to investigate a violation of the law and to enforce the law; but would you comment upon that as to the desirability or not at this time?

"Commissioner Fly. Well, that is one of those things that has been debated in regard to all of the commissions for a long time.

"Mr. Sanders. Yes; I know.

"Commissioner Fly. It is really of no great significance to us one way or the other, because we very seldom have investigations or proceedings that could be deemed prosecuting in nature. On rare occasions, for example, we do have a revocation proceeding; but those things come along very rarely and we have nothing that could properly be termed as prosecutions. Take by comparison—and I am not suggesting any change in the Federal Trade Commission Act—but there you do have something in the nature of the prosecuting function: The investigation of price discriminations and unfair trade practices generally, and the problem in our Commission is not presented acutely or broadly.

"Mr. Sanders. That is all.

"Mr. Hinshaw. How do you determine after you have decided that the engineering responsibility would be more or less identical in the various applicants, and financial responsibility is satisfactory, that one group of proposed operators of a station shall be any more liable to serve the public convenience and necessity than another group?

"Commissioner Fly. Well, it depends upon their training and their experience; the general qualifications.

"Mr. Hinshaw. Well, I would like to find out from you a little bit more in detail about those qualifications. Are they generally bent in one direction or another? I wish you would describe that for us a little bit to show us how you arrive at that?

"Commissioner Fly. Can't you make that a little more specific? That covers the field of a man's training and experience, and is just as broad as it can be, sir.

"Mr. Hinshaw. Well, you mentioned a while ago that one of the principal broadcast companies was headed by a former cigar merchant, and I was just wondering how it happened that he would be considered as any more able to run a radio station than somebody else?

"Commissioner Fly. Well, that goes to the question perhaps as to whether or not the network should be licensed. The networks are not licensed. If the cigar manufacturer bought himself into the network and thereby becomes a dominant factor in a lot of stations without being a licensee——

"Mr. Hinshaw (interposing). Supposing he were a newspaper operator then. Would that make him any more or less able to run a radio station than somebody else?

"Commissioner Fly. It might make him more or less.

"Mr. Hinshaw. In what way?

"Commissioner Fly. Well, for example, his work as a newspaper man might be valuable to him in operating a radio station. You take Mr. Ed Klauber, I think that Mr. Klauber,—he is executive vice president of the Columbia—I think his past experience was in the newspaper field, largely with the New York Times, and I imagine they thought that his experience in that field of some value to them in the broadcasting field.

"Now that may very well be true.

"Mr. Hinshaw. Do you lay any weight upon a man's business experience; whether he has been engaged for example in the advertising business or the theater business or some other business which will entitle him to some recognition as a man who could place things before the public?

"Commissioner Fly. Well, it is hard to say what business would give him preference. The business that might more or less automatically give him preference is, if he had a successful record as an operator of a radio station, that would certainly stand him in good stead as an applicant before the Commission, and from there on down, the various related activities are more or less remote.

"Mr. Hinshaw. For example, there is a considerable difference, of course, between the operation of broadcasting in the United States and in Great Britain. In Great Britain I understand it is a Government monopoly and advertising is not permitted to be conducted, whereas in the United States it seems to be more or less a series of private businesses, wherein station operators themselves are responsible for making a profit or not making a profit, and, of course, if they do not make a profit they will run into your accounting department.

"Commissioner Fly. Unless they are pouring money in to the public service, and are just doing that as a public service, intentionally taking a loss.

"Mr. Hinshaw. How many of them are doing that?

"Commissioner Fly. There are several of them.

"Mr. Hinshaw. Are there, really?

"Commissioner Fly. There are several of them.

"Mr. Hinshaw. I would like to know who these public servants are who are throwing their own money into it with no return.

"Commissioner Fly. Well, I would not want to single out some of them to the exclusion of others, but I think if you will take two examples, WQXR in New York City, to start off with, that is an excellent example. That was started by Mr. Hogan, one of the very competent engineers in this field, and he was doing the job of engineering experimentation and that sort of thing and at the same time was experimenting and lifting the quality of entertainment, of the program service. I do not think Mr. Hogan went into that thing with the idea of making a penny out of it. It just happens in recent years that he has had a successful operation and has made money. I do not think that that was a dominant motive, and I am sure he absorbed losses in the early years.

"I think the station at Albuquerque, New Mexico, KOB, is a station that is losing money and at the same time is considered by the owner as a valuable purpose served.

"There are other stations. As I say, there are several of them. I would like to look up a few of them and give them to you.

"Mr. Hinshaw. I hesitate to ask this question, because I know it entails considerable burden, but have you read all of the testimony in connection with that hearing? (The Monopoly Hearing.)

"Commissioner Fly. I think that I read most of it.

"Mr. Hinshaw. That is quite a job.

"Commissioner Fly. I will be glad to turn it over to you, if you want to go over it line by line.

"Mr. Hinshaw. Many thanks.

"Commissioner Fly. Since you have not read the report, I presume that is apparent that you have not read the testimony. But, I do want to make this request of the Committee, and I do think it is a fair request, that before the Committee either directly or indirectly, by legislation, pass judgment on that important issue, that it be good enough to read that report. Immediately upon the issuance of the report, we did send copies to each of the members of the Committee. That was about May 5, 1941.

"Mr. Hinshaw. I have a copy in my files, but I have only read a part of it.

"Commissioner Fly. I was going to be sure that each member has a copy. I will forward to each member an additional copy if you wish, and I would earnestly leave with you my request that you do read it, because I do not believe you would want to pass judgment upon the subject without that study.

"Mr. McGranery. Have you concluded?

"Mr. Hinshaw. I have one more question.

"Mr. Crosser. One more?

"Mr. Hinshaw. As I understand a gentleman by the name of Ethridge has been asked to make a report of a similar nature. Have you seen that report?

"Commissioner Fly. Mr. Ethridge made his report, or at least threw up the sponge at the St. Louis Convention.

"Mr. Hinshaw. Did he make a report to the president, do you know?

"Commissioner Fly. No; he made a speech to the broadcasters.

"Mr. Hinshaw. But he did not make a report to the President?

"Commissioner Fly. I think not. That is between him and the President; but I think not. I think that is a safe answer.

"Mr. Hinshaw. I have not seen the report nor the speech that he made at the convention. I do not know anything about it except that I heard that he was detailed to make a report.

"Commissioner Fly. Well, I think he did not make a report, that he did not make the report that he initially set out to make.

"Mr. Hinshaw. Did he make any other report?

"Commissioner Fly. He made a speech.

"Mr. Hinshaw. Is that the only thing that he made?

"Commissioner Fly. Well, he made a lot of trouble. He was former president of the NAB.

"Mr. McGranery. I just want to open this thing up and go back to the St. Louis convention. I just want to begin where you left off with Mr. Sanders. I understood you to say, Mr. Fly, that, at the time of the colloquy with Mr. Sanders, that this National Association of Broadcasters is dominated by a few.

"Commissioner Fly. That is right.

"Mr. McGranery. Is it not true that a vote was taken at the convention and that that vote was five to one to admit the two chains to membership?

"Commissioner Fly. I would like to give you some of the facts on that. I did not intend to go into this, because I do not think it is something that the committee really wants; but I got my statement of facts from one of the big broadcasting companies, so I assume it is accurate.

"There are nine hundred odd stations in this country, around five hundred of them are members of the NAB. Not more than 300 of them attended the convention and on the various votes which were postponed to the last afternoon of the long session, I think there were by 170 present on the one vote; around 100 present on the second vote; and around 19 on the third vote. (EDITOR'S NOTE: *The record shows that 314 NAB member stations qualified to vote at the convention. Of these 44 were exclusively affiliated with the Blue Network; 67, with CBS; 53, with MBS; 53, with NBC; 1, jointly Mutual-NBC; 9, jointly Mutual-Blue; 2, jointly Columbia-Blue; 29 jointly Blue-NBC; and 52 were non-affiliated stations. On the proposition to admit the networks 168 voted yes and 34 voted no; on network representation on the Board, 162 voted yes, and 40 voted no; on network dues, 169 voted yes, 30 voted no; on abolition of the Executive Committee, 172 voted yes, 32, no.)* I can get you the more specific figures if you want them from the people who have the record; but that is what was authoritatively reported to me.

"I might say that the networks, the two networks, I should say, of the two networks, the Columbia people were there and were very actively on the job. They got the vote out and did a very effective job. That is, they got the vote out which would be favorable on those particular issues.

"Mr. Closser, I think, was there in the various sessions including some sessions of the board of directors, and as I say, I think he did a very effective job.

"Mr. McGranery. Well, are we to take it that it is your idea that the Columbia dominates the National Association? The National Association of Broadcasters?

"Commissioner Fly. I think they are doing a pretty good job of that nowadays.

"Mr. McGranery. Well now suppose—now, you are a lawyer—suppose you were drawing a bill of complaint charging that the National Association of Broadcasters is dominated by the National Broadcasting Systems or the Columbia Broadcasting System, or both. What would you allege in that bill?

"Commissioner Fly. Well, in the first place, I would not draw that complaint, because I am not in that business; as to how broadcasters set up their association and who they let run it is their business. And, I have no interest in that whatsoever.

"But, when people come to me making representations about representing 900 radio stations throughout the country, then, of course, I have got to use a little common sense in appraising the people that come there and appraising their representation, just as when any one comes before you and purports to represent any large groups of people, I think one of your first inquiries is how does he get that way, and does he really represent them, and so as I say, if the broadcasters want to turn over their associational affairs to the Columbia Broadcasting System, that is all right with me.

"Mr. McGranery. Mr. Fly, do you not think in your capacity now—and I say this in all fairness—you are going pretty far when you set yourself up almost as a czar to be the sole arbitrator as to whether or not this is properly controlled.

"Commissioner Fly. What do you mean by setting myself up as a czar. Why, these people set themselves up to run the Government and to say who shall remain in public office and who shall not. Why, these fellows passed resolutions trying to have me removed from my job.

"Mr. McGranery. Well, is there any harm in that?

"Commissioner Fly. Well, who is doing the dictating? I think you perhaps would approve of that. But, I ask you, who is doing the dictating?

"Mr. McGranery. I will say for the record, Mr. Fly, that I would not.

"Commissioner Fly. I appreciate that, sir, and I will withdraw the statement, because I really do not believe you would approve of it.

"Mr. McGranery. I would approve of their right, however, to get up the petition, because there are some things set out in your rules—

"Commissioner Fly. I should think so.

"Mr. McGranery. There are some things set out in your rules.

"Commissioner Fly. A petition could be signed by the broadcasters of this country, if they could do it. I would think that that would be assumed that they might well do it. Between you and me, I do not think that they can do it.

"Mr. McGranery. Well now, I am not at all concerned about that, but I am concerned about the exercise of what you think about your power, and I am sorely concerned about it. I feel that you have demonstrated a great deal of spleen right down the line against these fellows and that there has been a cat and dog fight between you, and that situation is not going to be helped by some of the statements that you have made, and it is not going to be helped by these rules and regulations you have promulgated.

"I do not know, but in my own mind, I think that you have gone pretty far when you say to a station, 'If you sign an exclusive contract with this company, we are going to take your license away from you.'

"Commissioner Fly. I doubt if you are expressing the views of the committee there, with all deference. I do not think that the committee, after studying this subject, reading this report, will come out for the right of any national broadcasting concern in New York to tie up by a contract with a station in Keokuk, Iowa, stating that that New York concern shall control all of the broadcasting time of that station. I do not think Mr. McGranery will approve of it after reflection.

"Mr. McGranery. I do not think that is what it amounts to.

"Commissioner Fly. Well, I have studied that subject for years, sir, and I want to tell you that is what it does amount to. I know; and if you read that report, I think you will be thoroughly convinced. Those are exclusive contracts you are talking about, and option time. What the exclusive clause does not do, the exclusive option clause does. It gives them control of all of the important time of those stations, wherever they are located.

"Mr. Hinshaw. Mr. Fly, how would you handle that, other than under these rules and regulations that you have put out; how could you do it other than that? Do you have any other suggestions?

"Commissioner Fly. Well, I suppose that the Congress could legislate on the subject, state that every station owner should be responsible for the operations of that station and for the choice of programs, and should not tie up with any exclusive source of programs, or give any other concern control over all of its time. I should think that would be very appropriate legislation; but I believe if we wait a few months it will be demonstrated that our rules are within the scope of the present law and you may not need to enact that legislation.

"Mr. McGranery. What would be the practical effect in your opinion if you are permitted to carry out these rules and regulations that you have placed into effect, as to the exclusive clause in the contract and the option time?

"Commissioner Fly. What will be the effect?

"Mr. McGranery. What is the practical effect of that?

"Commissioner Fly. All that that will do is to turn the control of the station back to the licensee and let him take whatever programs he chooses and which he thinks are to the public interest in his own community, which he has sworn to serve, and they can continue to take all of the programs from Columbia; they can continue to take all of the programs from the National, or the Mutual that they want. There is no limitation whatsoever.

"Mr. McGranery. Now, as a practical matter, what would be the situation with respect to the present set-up of Columbia, National and Mutual, as a practical proposition? What would happen?

"Commissioner Fly. Well, as I explained to Mr. Hinshaw yesterday, this matter has been under study for years. Extensive studies have been made, completed, the report was made, and the regulations were issued more than a year ago, and in order to settle the entire matter all these networks have to do is to advise their stations that their contracts are to be construed in accordance with those rules.

"Mr. McGranery. Now, what will happen after that?

"Commissioner Fly. Immediately, approximately nothing; but that will mean then, however, that in the smaller cities where there are not enough stations to service all of the networks, that then a station will be free to serve the local public and meet their wants. If they want to hear Toscanini, then that station will be free to bring the public their Toscanini and if the people there want to hear the world series, then that station will be free to bring the world series, and if they want to hear Raymond Gram Swing, then that station will be free to bring him to those people.

"Now, that is what it means.

"Mr. McGranery. These rules—

"Commissioner Fly (interposing). And, I do not think you would oppose any set-up which would forbid the public in those areas, literally forbid them from having that service. I do not believe, Mr. McGranery, if you read that report and understand it and see the effect of that, that you would approve any such thing as the present practice.

"Mr. McGranery. I grant that I perhaps do not understand the situation, because I am coming to this conclusion, that you cannot do anything else but tear these two great chains down and build Mutual up.

"Commissioner Fly. No, no. I will tell you why. It is not going to be a Chick Sales statement, either. These two big—

"Mr. McGranery. I hope none of the rest of them.

"Commissioner Fly. These two networks have all of the advantages in the world. They have around 85 to 90 per cent of the total night-time power on the stations of this country. They have existing relations with advertisers and with stations; with program sources and all that sort of thing.

"Now, to suggest that they cannot go into a competitive field here and land on their feet and continue a public service is to make a suggestion that I cannot go along with and as a matter of fact, the mere fact that Mutual, with lesser physical facilities and being affected by these restrictive practices of the networks, since Mutual has been able to survive under those onerous conditions with lesser power and all the disadvantages, I think it follows as a matter of course that N.B.C. and Columbia are going to land on their feet and are going to do a good job, and I will tell you that they will do a better job, too, when this thing becomes competitive, because then they will have to have something to give these stations.

"If a station in your locality is free to move out and take the best program available, then there is going to be some real competition to see who can pipe down there the best program for your local public.

Mr. McGranery. Speaking about advertising, is there any difference in the standards of advertising between these networks?

"Commissioner Fly. I do not know. Nobody listens to advertising except the people that are doing it, sir. I would not want to say.

"Mr. McGranery. I am speaking now of standards.

"Commissioner Fly. Standards?

"Mr. McGranery. Not the advertising.

"Commissioner Fly. I do not know. I do not think I would want to comment on that. I doubt if I am qualified to say who has the best advertising. I think you will find—and I mentioned one of the stations a while ago, and I won't repeat it—but there is a station I think that has placed restrictions on the type of advertising; the length of time devoted to advertising, and a limit on the high-pressure stuff and all of that; but in general it is really not my function to criticize that, and I prefer not to do it, sir.

"Mr. McGranery. I think you can go a little further and say that neither Columbia nor National uses any beer advertising on their programs.

"Commissioner Fly. I think that they have beer and ale. I think one of the big controversies in the industry recently has been with the N.B.C. taking over the Ballantine beer and ale program from Mutual.

"Mr. McGranery. That is all.

Representative Sanders elicited from Chairman Fly the opinion that the language of Section 5 of the Sanders Bill (NAB Reports, August 8, 1941, page 667) was too broad in that it would permit, in effect, any person who would be aggrieved or adversely affected by the granting of an application without hearing to intervene in the proceedings. Mr. Fly stated that it should be limited to persons who have a "substantial legal interest." (Section 5 provides that before acting upon an application the Commission must make two affirmative determinations: (1) that the public interest, convenience and necessity would be served by the granting of the application; and (2) that such action would not aggrieve or adversely affect the interest of any licensee, applicant or any other person. In the event the Commission should be unable to make both of these findings, the Section would require the Commission to designate the application for hearing and if granted without hearing, any person claiming to be adversely affected could file a protest and be heard before the Commission. Thus, any person who would be aggrieved or adversely affected by the granting of an application would be assured the right to notice and hearing before any grant could be effective.)

In this connection Mr. Fly said:

"* * * I think the main objection is opening to any and everybody that may have slight interest; that is, whether or not there is any interference within the rules as are generally and consistently accepted in the industry and in the Government, and would permit any competitive interest to move in and under the other procedural device here indefinitely prolong an application. That is, I assume there would be danger of that, and I think the only safe thing to do is to say—and I do not care then how you describe the person—if you say must be a person with substantial legal interest, then you have got something that means something; but this would seem to give every person who has the slightest claim of any sort—and there are so many problems in this industry; dozens of stations, or a half dozen stations in every case, can make some sort of claim of interference either on the same channel or on an adjacent channel—maybe a dozen stations—then, a competitor in an adjoining town can make some sort of a claim.

"As I say, you gentlemen have determined this is to be a competitive industry and we shall not do anything about that. If you do not want it to be a competitive industry, then you ought to say so.

"So I think you ought to confine the interventions here, and the adjudications, to people who have a substantial legal interest."

Mr. Fly also stated that the right of appeal should be similarly limited to persons who have a substantial legal interest.

Discussing the section of the Bill that would divide the Commission into a division of public communications and a division of private communications with the Chairman a member of neither division, Mr. Fly stated:

"Mr. Chairman, in discussing the divisions, while I think the point appeared in my written statement, I did not make the point orally that in the proposed legislation the Chairman would be responsible to the outside world, generally, for the operations of the Commission; for the divisions, and the general conduct of the work; would represent the Commission in their departmental conferences, and that sort of thing. Perhaps most importantly he would represent the Commission before legislative bodies, and in proposed legislation and inquiries into the work of the Commission.

"Now, the result of that is this: Under the proposed bill the Chairman does not have a vote in either of the divisions, and so he may be called upon the carpet and held responsible for the decisions of the division over which he has had no control and has no vote. In other words, it seems to me that we tend to violate something that is basic in our philosophy of administration and every legal responsibility, and that is, always, the responsibility must be accompanied by comparable authority and that a man will not be held accountable and responsible for acts over which he has no control; and as a practical matter, I cannot believe it is feasible. It simply will not work that way."

Discussing the changes in judicial review found in Section 8 of the Sanders Bill, Mr. Fly said:

"CHOICE OF COURTS

"Under the Communications Act, appeals from orders of the Commission may be taken either to three-judge courts under the Urgent Deficiencies Act or to the United States Court of Appeals for the District of Columbia, depending upon the nature of the Commission order sought to be reviewed. If the order of the Commission grants or denies an application for a construction permit or radio station license, or for renewal or modification of an existing station license, the appeal is to the Court of Appeals for the District of Columbia; all other cases go to the three-judge courts.

"The proposed bill provides that in virtually all radio cases an appeal may be taken either to the Court of Appeals for the District of Columbia or to the Circuit Court of Appeals in the circuit where the appellant resides or has his principal place of business. This gives an option to existing licensees to appeal to the Court of Appeals for the District of Columbia or to the Circuit Courts of Appeal in their home circuits, or I assume a circuit court of appeals at the place of business.

"I think that there are strong reasons in favor of having appeals in radio matters restricted to the District of Columbia. Radio stations who wish to appeal generally have Washington counsel. The records and files involved in the appeal are kept here and the consulting engineers who work on the cases are largely concentrated here. In addition, the parties and their attorneys are frequently before the Commission. Washington is thus the one central and convenient place for the litigation.

"However, even if litigants are permitted to sue elsewhere than Washington, I can see no warrant for giving all appellants an option to sue either in their home districts or in the District of Columbia.

"Moreover, in appeals in radio matters the opposing parties in reality are not the applicant and the Commission but rather the applicant and persons already in the field.—Let me illustrate. Suppose a person applies for and is granted a construction permit to erect a new station in Iowa. An existing station on the same frequency in Oregon could then appeal from such grant, if it deemed itself aggrieved by the grant. Under the present bill the existing licensee could bring his appeal either in Oregon or in the District of Columbia. This is an entirely unfair burden with which to saddle an applicant, who is thus brought into court at a distance both from Washington and his home. This is another example of entrenchment of vested interests and of the erection of barriers to the entry of a man of moderate means into the radio field.

"CHANGE IN THE SCOPE OF JUDICIAL REVIEW

"The bill also proposes (Section 402 (g)) to amend the provisions of the existing law with respect to judicial review. That is in committee print, at page 24.

"Our objection to the proposal is that it tampers in a vague and formless way with a large body of well-defined judicial doctrine that has been painstakingly built up over a long period of years. It seems to us that the courts, rather than the legislature, are the best judges of their own competence and their own limitations in reviewing administrative action. A law containing such vague and general language, as is proposed in section 402 (g) of this bill would serve only to confuse both the courts and the lawyers.

"As Mr. Bingham pointed out, it is true that the minority of the Attorney General's Committee did recommend a proposal somewhat similar to that which the Bar Association here proposes. However, the majority expressly declared that in their opinion such a procedure is unnecessary and unwise (Attorney General's Report, pp. 91-92). We fully agree with the conclusion reached by the majority of the Attorney General's committee.

"Moreover, I should like to call your attention to the fact that in copying the proposal made by the minority of the Attorney General's Committee, the Bar Association has omitted a very important proviso. I would like to read what they have left out:

"'Provided, however, that upon such review due weight shall be accorded the experience, technical competence, specialized knowledge and legislative policy of the agency involved as well as the discretionary authority conferred upon it.'

"The omission of this proviso is typical of the effect which the Bar Association has made in this bill to tie the hands of the Commission.

"REPEAL OF THE POTTSVILLE RULE

"The last change in the appeal procedure which I desire to mention relates to the effect to be given to the mandate of the court reversing an order of the Commission. The bill provides in section 8 (h) (committee print, pp. 24-25) that in the event a court reverses a decision of the Commission, it shall be the duty of the Commission to give effect to such judgment and 'unless otherwise ordered by the court, to do so upon the basis of the proceedings already had and the record upon which said appeal was heard and determined.' This section is designed to set aside the holding of the Supreme Court in Pottsville Broadcasting Company v. The Federal Communications Commission, 309 U. S. 134, and Fly v. Heitmeyer, 309 U. S. 146. Those cases involved appeals from orders of the Commission denying applications on particular grounds. The Court of Appeals held that the Commission had committed an error of law in denying the application on the grounds specified. The cases were thereupon remanded to the Commission. Upon remand, the Commission, in the Pottsville case, designated the application for argument, together with other applications for the same facilities on which a hearing had already been held. In the Heitmeyer case, the Commission designated the application for further hearing with other applications for the same facilities. The reason for this action was to enable the Commission to determine on a comparative basis which of the several applications would best serve public interest, convenience and necessity. In other words, the Commission simply took all of the applications for the same facilities and tried them in one case, so that everybody could be heard out fully and on a comparative basis, so that the Commission could determine which one should be granted and could best serve the public interest.

"The appellants thereupon applied to the Court of Appeals for a writ of mandamus requiring the Commission to consider the applications upon the basis of the records already made before the Commission and upon which the Commission had been reversed. The Court of Appeals issued the writs as requested but the Supreme Court reversed, holding that upon remand of a case to the Commission, we are not bound to consider the application on the basis of the record already made but may take into account facts occurring since the filing of the appeal in arriving at a determination concerning how the public interest would best be served.

"Gentlemen, I submit that the rule in the Pottsville case is a salutory one. It is not designed to avoid the effects of judicial review as the Bar Association has suggested. Of course, if the Commission commits an error of law in granting or denying an application, and this error of law is laid bare by the Court, the Commission should and does govern itself accordingly in acting upon that application. It does not follow, however, that because the Commission did commit an error of law that this should give any priority to the applicant in whose case the error of law was committed. But this is precisely what this bill would require. If the Commission denies an application and the Court of Appeals reverses, the Commission would then be under a duty to consider the application on the basis of the record previously made, irrespective of changes in conditions which may have occurred since the filing of the application or the taking of the appeal. Other persons far better qualified to operate a station may have filed applications, for the same facilities, but under the rule of the present bill, the Commission could not consider them.

"Mr. Sanders. Mr. Chairman.

"Mr. Crosser (presiding). Mr. Sanders.

"Mr. Sanders. In connection with this Pottsville case, you stated that this section that you refer to is designed to set aside the holding of the Supreme Court in the Pottsville case. I agree with you, from my reading, I think that that would probably be the effect of enacting that section. However, Mr. Bingham on page 84 of his prepared statement quotes Mr. Justice Frankfurter in that case. I quote from Mr. Bingham, for I have not read the decision. He quotes as follows:

" 'Legislators are ultimate guardians of the liberties and welfare of the people in quite as great a degree as the courts.'

"And then quoting Mr. Justice Frankfurter further:

" 'Congress which creates and sustains these agencies must be trusted to correct whatever defects experience may reveal.'

"You would agree with Mr. Justice Frankfurter's statement?

"Commissioner Fly. Yes, I would agree with that and, of course, I should think that when the case comes back to the Commission that if that party will do the best job in the public service and the grant can be made, that it should be made; but still I think it would be unfortunate if, considering all of the applicants before the Commission, it appeared that, let us say, that he was the worst of the applicants, then before the Commission, I think it would be very unfortunate to have to make the grant to that party. That would in part repeal the basic provisions of this law, that the grant should be made to serve the public interest.

"You see there is threading through this law, broadly, a general philosophy of public interest. How will the public get the most and the best service out of a particular operation or a particular grant. Then, to hold that because a party has been through some procedure, that he gets a private right which is to override the public interest and which would bar the Commission from considering competing applicants and on a comparable basis, I think would be open to serious question.

"I do not think you have heretofore made the statement that there is any vesting of private rights or any advantage to be gained through any procedures or anything of that sort, that gives a private party any advantage over another private party, the main test always being how will we get the best public service. And, I do not think that the Congress would want to put the Commission in a position where, on the day it makes a grant, it would be forced to make the grant to a party who would not render the best public service.

"Mr. Sanders. Of course Congress and the Commission are both in the position of trying to find out what is in the interest of the public. These conflicts between private interests are merely incidental to the superior rule that Congress attempts to enact and the Commission attempts to execute."

There followed a colloquy with Representative Sanders:

"Mr. Sanders. You would also, I take it, agree that there is nothing inherently wrong with the Congress passing legislation to rectify conditions pointed out in the Supreme Court decisions. The Supreme Court has frequently held that it has not the power to change Congressional decrees and if there is anything wrong with Congressional decrees, the Congress itself must change them.

"Commissioner Fly. I certainly think that wherever there are deficiencies in the law—and, of course, Congress has frequently so acted—where there are deficiencies in the law, why then it is the function of the Congress to change them and, of course, neither we nor other parties should rely upon the Supreme Court to amend them; but still that leaves us back where we started, with the question as to whether or not the law is deficient, and if you want to change the basic thesis here of private interest being dominant over public interest, why, I suppose you could do so, even though you are dealing with private property.

"These wave-lengths belong to the people.

"But, if you want to say that these people who are granted these licenses, get some sort of a vested right in these wave-lengths, then, due to the fact that they have gotten on to them and have gotten the benefit of them through the years, or due to the fact that they have gone through certain procedures, I suppose it is within your power to do so. I myself would be very reluctant, though, to advise such course.

"Mr. Sanders. You would approve of the statement, I take it, that the fundamental issue then is not whether this statute was designed to set aside the holding of the Supreme Court in the Pottsville case, as you state on page 26 of your statement; but that the question is whether, as you state at the bottom of page 27, the rule of the Pottsville case was a salutory one, and the main issue is whether it is a salutory rule and not whether the rule has been approved by the Supreme Court.

"Commissioner Fly. No; the main issue is the one which I have stated, sir, and it may be nudging up to the problem as you have suggested it; but to me the main question is whether at any time the private interests shall get itself in a position to predominate over the public interest."

AFA CONVENTION

The NAB Department of Broadcast Advertising assumed an important role in connection with the 38th annual convention of the Advertising Federation of America, held at the Hotel Commodore this week. Frank Pellegrin, Director of the Department, presided over the broadcasters conference on Wednesday morning. John M. Outler, WSB, Chairman of the NAB Sales Managers Executive Committee, spoke on "Radio as an Advertising Medium in Wartime."

Tracing the history of radio and its phenominal growth, Mr. Outler told advertisers that radio is a "tool in your work." He referred to the recent Hooper and Roper surveys which showed radio listeners buy more than non-listeners, and that the longer they listen the more they buy. He stressed the importance of these facts from the standpoint of conserving the advertising dollar. He told of a recent survey made by his own station which disclosed that by tying in drug store displays with radio personalities on the respective programs, merchants increased sales by as much as 18 per cent. He nailed this point down with the observation that the audience loyalty to a program is definite and can be made an effective advertising asset.

He referred to the high praise which had been given radio by government officials and the tremendous contribution which it had made to the prosecution of the war effort. The maintenance of radio audience through proper programming was, he pointed out, a prime necessity if we are to give the war message to the people. "The American system of radio," said Mr. Outler, "is based on commercial effort and the advertisers are the only ones with the budgets and the personnel who know how. And the fact that the advertisers will maintain these audiences provides the means and the channel for the government to get its message across to the greatest number of people."

Lt. Col. Edward M. Kirby, former NAB Public Relations Director, and now heading the Radio Branch of the Public Relations Division of the War Department, high-lighted the relations between the government's war efforts, advertising, and radio. He spoke specifically on the aspects of the War Department's approach to the use of radio in the war.

"We have an army in the making of 3,600,000 men this year," said Col. Kirby. "It will run around 4,000,000 people next year. That cuts into every family, every social and economic unit. There, first, I should say, the disposition of the men who leave our homes, what they do, where they are sent, what they wear, what they eat, and what the danger is to which they are exposed is our number one interest.

"Secondly, this army is not to fight north or south of the Mason-Dixon line, or east or west of the Mississippi. Our Hindenburg line is fighting on the four corners of the earth. It is called total warfare. Total warfare goes for men in uniform, as well as those outside."

Col. Kirby paid tribute to American advertisers who have assumed the responsibility for programs from and to army camps and urged a wider use of this form of advertising as a means of not only preserving the identity of the advertiser, but of assisting the war effort.

Samuel R. Rosenbaum, WFIL, Philadelphia, spoke on the "Challenge to Radio." We print his full address below. Any broadcaster looking for a talk to give to his local Rotary Club or other civic or business organization might make good use of it.

I assume it is hardly necessary at a meeting of people engaged in the advertising profession to catalogue the contributions radio stations are making in the war effort. All of you are probably in direct and frequent contact with radio stations, either as advertisers or listeners, and you know what an unending variety of suggestion and instruction every station is sending out at the request of national and local authorities. No doubt you also read the trade press and you have seen summaries of the amazing extent to which radio stations are being called on.

You know that radio stations are regarded as major factors in building up public response to the need for public cooperation, not only with the fighting forces but with the civilian organizations involved in supplying, producing, rationing and defense. It is taken for granted that the radio station will help to inform the public, instruct the public, and make the public sympathetic with gasoline rationing, rubber rationing, sugar rationing, tin salvage, retail price control, metal conservation and water conservation. It is taken for granted that radio stations will send out all information needed to encourage recruiting in the Army, the Navy, the Air Corps, the Coast Guard, the Merchant Marine, and special services like the Army specialists, glider pilots, the Interceptor centers, and the civilian defense organizations.

It is taken for granted that radio stations are available and will do their share to encourage public support for the Navy Relief, the Army Relief, China Relief, Russian Relief, Greek Relief, the U.S.O., the hospitality centers, the Red Cross, and other worthy war charities. It is taken for granted that radio stations will bear a major share of the labor of getting universal subscriptions to war bonds. Needless to say it is also taken for granted that radio stations will continue to help every worthy local charity and educational and religious enterprise in the listening area, just as generously as was done before the war effort came along.

It is taken for granted that radio stations will be available for every reminder of patriotism and encouragement for public morale such as Flag Day and other national holidays, anniversaries of invasions, victories and defeats in the war now in progress, and local and national special events connected with the prosecution of the war that come up with or without notice, such as speeches by local or national statesmen and local or national celebrations of special occasions by official, semi-official, unofficial or volunteer organizations, committees or local or national agencies of government or community. It is taken for granted that radio stations will carry programs designed to win popular support in the war effort which are created or built by radio producers in government departments or in the Army or Navy, or by the networks. Last week's issue of VARIETY published a striking list of the network commercial advertisers who have made the most successful use of this method of utilizing large and well-established listening audiences. Every station can also bear testimony of local advertisers who have loyally rendered similar service.

In fact all these things are being done by radio stations. In fact radio stations as well take it for granted that they should do so. In fact radio stations have at all times been eager and anxious to be permitted to do these things and more, and radio stations have, from the beginning of the war effort, been impatient that they have not been called on for more, and that their potentialities have not been better organized and better availed of by Washington in order that there should be a maximum of result with a minimum of cross purposes.

All of these things I think that as advertisers and as listeners you know, and this is not news. In fact I think it would be better if this talk were called "Taken for Granted" instead of "The Challenge to Radio."

However, I wonder if you realize how much of an effort it requires for radio stations to make this contribution which is so generally taken for granted. Unless you are really close to it you might well suppose that it is a fairly simple matter for a radio station to put on the air everything it receives from the agencies I have enumerated, and all the station has to do is sort the circulars and hand them to the announcers. In fact it is a far more difficult process. Much of the copy has to be rewritten and boiled down, although the material received from O.F.F. is excellent beyond criticism. The volume of the stream coming into every radio station today is such that it is practically a continuous re-write job for somebody in every station. The copy has to be distributed in such a manner that it does not annoy the listener and that it does not upset the advertisers. There is a constant and unending traffic job of real magnitude, considering that every radio station works on the principle of giving every patriotic request the right of way. There are even engineering problems involved, especially for net work affiliates in producing the tremendous increase in announcements without disrupting the service to network and local advertisers. There is also the problem of keeping advertisers satisfied and happy in spite of the necessity for frequent cancellations and shifts of local and national commercial material to make way for patriotic copy and events which are always given the preference today.

All of this is part of the contribution that radio stations are making and making gladly. And it is well we should do a little talking about it instead of letting it be taken for granted. One aspect must be mentioned, and that is that radio stations are doing much of this service as a free contribution when some other media are collecting pay for it. The same appeal for a relief organization which buys a half page in the local newspapers at regular rates, takes it for granted that it is entitled to full support from the local radio stations and would be shocked at being asked to pay for it. The same group that pays rent for a local hall to hold a meeting, takes it for granted that the radio station will make its contribution without thought of payment. The same group that would not hesitate to pay toll charges for a flock of telegrams or telephone calls to meet an emergency situation, takes it for granted that the radio station will perform the same service as a community contribution. The same committee that will spend money in printing books and circulars for distribution, takes it for granted that the radio station will make a free gift of its circulation. And the radio station always delivers and always produces and always contributes and keeps on hoping that it will be appreciated,—a hope which often turns out to be illusory.

To my mind the real challenge to radio to be presented by this war has not yet been presented. I feel the country has not yet begun to realize the severity and intensity of the efforts and sacrifices which every citizen will be called upon to make. The course of the war will demonstrate that the requests to be made of our citizenry will increase with mounting intensity, and that correspondingly the efforts expected of radio stations to disseminate these requests will be increasingly exacting. At the same time it is a matter of common knowledge that every radio station, except the comparatively few favored stations of large power in metropolitan centers, is beginning to feel the reduction in commercial revenue which is bound to result from the impact of war production and rationing and dislocation of industry. National spot revenue is still holding up, but network revenue is beginning to feel it, and local business is already causing marked concern to stations which depend on it.

This is bound to have its effect not upon the willingness but upon the ability of radio stations to continue to render the national services which are so generally taken for granted. The stations on the National and Columbia networks are in a fortunate position of being the most prosperous economically and of broadcasting the large majority of the great popular commercial programs for national advertisers who are making a real and intelligent use of the medium to get the war message across to their established listening audiences. But the stations on the other networks and the non-affiliated stations are those which make the major portion of their contribution on non-commercial programs and non-commercial announcements and therefore on a sustaining basis, and therefore at their own expense as a public service. It is these stations which, in my opinion, will feel the impact of war conditions more and more in the next twelve months, with declining revenue and increasing demands for public service. In my opinion this is a problem which our national authorities should begin now to plan to meet. I am not suggesting that radio stations wish to be paid for the national contributions they are making. On the contrary, radio stations, even the very smallest, are proud to be permitted to enlist under the flag for the duration. However, it must be realized that there are many stations, especially the small ones and especially those in smaller communities, which are equally important in the building of public morale as those in large metropolitan centers, and I believe it will become urgent within the next twelve months to provide some help for such stations if they are to continue to render the service which is expected of them.

I have no specific suggestion to make on this score. There are plenty of people already giving advice. However, just as an experiment, I might throw out the idea that it would be a fair contribution to the smaller radio stations if, in some way, lines were made available to them so that they could receive and broadcast important national programs without having to pay for them. In fact, as a network affiliate, I sometimes feel there is a little contradiction in the fact that we affiliates, through our affiliation contracts, pay money to maintain the network land-lines that connect us, and are expected to broadcast free-of-charge patriotic programs received over those same lines.

I have no quarrel with any public utility, but I just say it is just another of those contradictions where the radio station serves the public free, and somebody else gets paid even by the radio station.

What a wonderful gesture of patriotism it would be if the land lines were contributed for such patriotic programs just as the stations contribute their time, and the benefit passed on to the stations. This would make it possible for messages of vital importance, the speeches of the President, to be broadcast simultaneously by all the 900 stations in the country without asking for favors from the existing network companies.

Radio is meeting honorably the challenge so far presented by the war. With fair cooperation from the central authorities, it will continue to meet that challenge with equal success. Its greatest test will be the preservation of its freedom in the face of the ever-increasing control of communications which is inevitable under war conditions. Its greatest test will come in the preservation of its right to criticize and discuss strategy and administration without intimidation or suppression. Its greatest test will come in promoting an honest discussion of views for fighting the war and winning the peace, without undue pressure from those in Congress or government. Perhaps the short-term license will prove to be the greatest challenge to radio.

WAR PROGRAM IDEA

Allocation of War Service announcements locally on WOWO and WGL, Westinghouse stations in Fort Wayne, has been placed in charge of Ed Koops of the program department who has announced a plan whereby every local sustaining show, either transcribed or live, ad lib or written, will contain announcements according to a master plan. Koops' procedure involves supplying the entire staff with a weekly mimeographed list showing the programs and type of announcements to be used. Entire talent staff and continuity department are constantly urged to make the announcements blend into the content of the program rather than stick out like a sore thumb. Sample of the type of plugs being used follows:

LATE RISERS LEAGUE

Music: Nothin'.

Ross: Late Risers' time . . . 10:18! That's Central War Time . . . and War Time is 10% Time. Say, how'd you sleep last night? Pretty good, eh? Do you imagine Hirohito slept well last night? If he's heard about America's Rubber Roundup he didn't—because the nation is out to salvage the rubber that is needed to slap the Japs! We don't have to give you details—you know all about it! All we need tell you is that *the need is urgent!* So get busy today and dig up all the scrap rubber you can find. And if you'll look on this next record you'll notice that the title of the tune is "How Do I Know It's Real."

RADIO RATES EXEMPT

Broadcasting advertising rates were specifically exempt from the "service" price-fixing order issued June 23 by the OPA. (Maximum Price Regulation 165, effective July 1.)

COLORADO

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	5,602	81.7	4,577	1,765	85.2	1,503	1,645	83.1	1,367	2,192	77.9	1,707
Alamosa	2,731	78.8	2,151	1,529	85.6	1,308	541	65.4	354	661	74.0	489
Arapahoe	8,977	89.2	8,007	3,242	95.2	3,086	4,347	87.1	3,784	1,388	81.9	1,137
Archuleta	969	53.0	514	......	....	......	514	52.4	269	455	53.7	245
Baca	1,707	64.9	1,107	......	....	......	881	68.7	605	826	60.8	502
Bent	2,422	77.6	1,879	930	75.9	706	641	81.3	521	851	76.6	652
Boulder	11,327	90.2	10,213	6,402	93.8	6,008	2,954	86.4	2,552	1,971	83.9	1,653
Chaffee	2,398	82.4	1,977	1,494	86.0	1,284	564	76.0	429	340	77.5	264
Cheyenne	826	80.1	662	......	....	......	382	84.2	322	444	76.6	340
Clear Creek	1,172	84.8	994	......	....	......	1,122	85.1	955	50	78.0	39
Conejos	2,556	50.7	1,295	......	....	......	1,372	53.2	730	1,184	47.7	565
Costilla	1,635	40.8	670	......	....	......	909	36.3	330	726	46.9	340
Crowley	1,405	76.0	1,069	......	....	......	745	80.1	597	660	71.5	472
Custer	677	67.6	458	......	....	......	317	66.2	210	360	68.9	248
Delta	4,509	76.5	3,449	1,069	79.8	853	1,311	77.3	1,014	2,129	74.3	1,582
Denver	96,777	93.7	90,651	96,777	93.7	90,651	......	....	......	......	....	......
Dolores	533	66.2	353	......	....	......	279	67.7	189	254	64.5	164
Douglas	1,033	81.3	840	......	....	......	495	88.1	436	538	75.0	404
Eagle	1,495	78.3	1,171	......	....	......	1,038	80.5	835	457	73.5	336
Elbert	1,537	76.0	1,169	......	....	......	475	82.0	390	1,062	73.3	779
El Paso	16,532	90.9	15,026	11,842	92.7	10,982	3,257	91.7	2,986	1,433	73.9	1,058
Fremont	5,246	81.9	4,298	2,417	86.3	2,086	1,721	78.4	1,350	1,108	77.8	862
Garfield	3,063	74.7	2,288	......	....	......	1,848	79.2	1,464	1,215	67.8	824
Gilpin	580	76.0	441	......	....	......	523	75.9	397	57	77.2	44
Grand	1,023	79.3	812	......	....	......	716	79.6	570	307	78.8	242

COLORADO—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Gunnison	1,763	81.4	1,435	......	....	......	1,363	83.4	1,137	400	74.4	298
Hinsdale	124	62.8	78	......	....	......	90	53.4	48	34	87.9	30
Huerfano	4,066	58.7	2,384	1,620	65.3	1,057	1,646	56.9	937	800	48.7	390
Jackson	525	74.4	392	......	....	......	301	68.1	205	224	83.4	187
Jefferson	8,763	90.9	7,966	976	95.9	936	5,478	91.6	5,019	2,309	87.1	2,011
Kiowa	819	76.8	629	......	....	......	389	79.6	310	430	74.3	319
Kit Carson	1,999	73.4	1,467	......	....	......	916	81.8	749	1,083	66.3	718
Lake	2,001	86.9	1,740	1,411	89.0	1,256	571	82.6	472	19	63.2	12
LaPoata	4,112	72.2	2,966	1,677	85.2	1,429	1,197	64.0	767	1,238	62.2	770
Larimer	10,324	88.2	9,104	5,637	92.8	5,230	2,128	84.9	1,806	2,559	80.8	2,068
Las Animas	8,220	61.5	5,056	3,530	73.4	2,590	3,164	54.0	1,708	1,526	49.7	758
Lincoln	1,656	78.8	1,304	......	....	......	814	86.3	703	842	71.4	601
Logan	4,663	83.3	3,880	2,081	90.7	1,888	713	78.7	561	1,869	76.5	1,431
Mesa	9,156	80.5	7,370	3,574	89.8	3,211	2,223	74.1	1,647	3,359	74.8	2,512
Mineral	294	79.5	234	......	....	......	243	82.2	200	51	66.7	34
Moffat	1,556	75.1	1,169	......	....	......	942	80.5	758	614	67.0	411
Montezuma	2,679	65.6	1,757	......	....	......	1,477	66.0	975	1,202	65.0	782
Montrose	4,080	76.8	3,133	1,360	83.4	1,134	930	70.3	654	1,790	75.2	1,345
Morgan	4,470	84.8	3,787	1,439	93.7	1,348	1,165	83.1	968	1,866	78.8	1,471
Otero	6,446	77.9	5,021	3,070	84.1	2,581	1,714	73.1	1,253	1,662	71.4	1,187
Ouray	625	81.4	509	......	....	......	438	86.0	377	187	70.7	132
Park	1,059	75.9	803	......	....	......	661	79.0	522	398	70.6	281
Phillips	1,395	84.5	1,179	......	....	......	724	84.2	609	671	84.9	570
Pitkin	569	76.9	437	......	....	......	364	77.8	283	205	75.3	154
Prowers	3,299	79.0	2,607	1,292	87.7	1,133	865	76.3	660	1,142	71.2	814
Pueblo	18,232	86.9	15,839	13,941	90.0	12,552	2,711	77.4	2,097	1,580	75.3	1,190
Rio Blanco	851	78.9	671	......	....	......	441	80.7	356	410	76.8	315
Rio Grande	3,135	71.5	2,245	910	83.6	761	1,110	61.7	685	1,115	71.6	799
Routt	3,028	79.8	2,417	......	....	......	2,124	82.0	1,741	904	74.8	676
Saguache	1,556	62.7	976	......	....	......	908	60.5	550	648	65.8	426
San Juan	393	83.5	328	......	....	......	393	83.5	328	......	....	......
San Miguel	1,028	69.2	709	......	....	......	804	73.4	590	224	53.1	119
Sedgwick	1,385	84.2	1,164	......	....	......	752	90.8	683	633	76.0	481
Summit	666	73.7	490	......	....	......	594	72.8	432	72	80.6	58
Teller	2,009	83.5	1,678	......	....	......	1,767	85.7	1,515	242	67.2	163
Washington	2,200	76.3	1,680	......	....	......	703	82.2	578	1,497	73.6	1,102
Weld	16,865	83.2	14,038	4,774	91.3	4,359	5,148	81.5	4,194	6,943	79.0	5,485
Yuma	3,257	79.3	2,582	......	....	......	1,388	82.4	1,144	1,869	76.9	1,438
State Total	316,000	84.5	267,295	174,759	91.5	159,932	77,956	78.1	60,877	63,285	73.5	46,486

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Colorado Springs	El Paso	11,842	93.4	10,984
Denver	Denver	96,777	93.7	90,651
Pueblo	Pueblo	13,941	90.0	12,552

NAB Research Department

June 19, 1942

IOWA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adair	3,763	87.7	3,299	......	....	......	1,553	88.5	1,375	2,210	87.1	1,924
Adams	2,930	87.7	2,570	......	....	......	1,167	87.9	1,025	1,763	87.6	1,545
Allamakee	4,500	83.9	3,777	874	88.3	772	1,340	81.7	1,095	2,286	83.6	1,910
Appanoose	6,975	80.9	5,647	2,494	89.1	2,221	2,271	78.2	1,775	2,210	74.7	1,651
Audubon	3,225	88.5	2,854	......	....	......	1,341	89.1	1,195	1,884	88.1	1,659

IOWA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Benton	6,435	91.2	5,866	2,209	92.2	2,036	1,490	88.3	1,315	2,736	91.9	2,515
Black Hawk	22,621	95.3	21,563	17,738	96.2	17,063	2,222	90.6	2,014	2,661	93.4	2,486
Boone	7,917	91.3	7,232	3,555	94.0	3,341	1,614	89.8	1,450	2,748	88.8	2,441
Bremer	4,962	88.6	4,399	1,257	91.4	1,149	1,528	87.8	1,342	2,177	87.6	1,908
Buchanan	5,348	89.1	4,765	1,349	93.1	1,256	1,535	88.0	1,351	2,464	87.6	2,158
Buena Vista	5,483	93.9	5,148	1,511	95.7	1,447	1,719	91.4	1,571	2,253	94.6	2,130
Butler	4,983	87.8	4,373	......	....	......	2,462	87.1	2,145	2,521	88.4	2,228
Calhoun	4,864	92.4	4,496	......	....	......	2,635	90.3	2,380	2,229	94.9	2,116
Carroll	5,697	93.4	5,323	1,433	94.8	1,358	2,041	92.3	1,884	2,223	93.6	2,081
Cass	5,465	89.0	4,863	1,746	94.0	1,642	1,412	85.6	1,209	2,307	87.2	2,012
Cedar	4,845	88.4	4,286	759	85.5	649	1,662	87.8	1,460	2,424	89.8	2,177
Cerro Gordo	11,693	93.4	10,922	8,400	94.1	7,907	1,112	92.2	1,026	2,181	91.2	1,989
Cherokee	4,606	93.5	4,307	1,596	95.2	1,520	1,025	91.7	940	1,985	93.1	1,847
Chickasaw	4,110	87.0	3,576	850	93.0	790	1,124	86.4	971	2,136	85.0	1,815
Clarke	3,047	84.3	2,573	1,070	88.1	943	435	81.1	353	1,542	82.8	1,277
Clay	4,902	92.2	4,520	1,960	93.7	1,836	906	88.2	799	2,036	92.6	1,885
Clayton	6,650	84.1	5,591	......	....	......	3,445	84.4	2,908	3,205	83.7	2,683
Clinton	12,443	92.7	11,541	7,467	95.1	7,098	2,218	88.5	1,964	2,758	89.9	2,479
Crawford	5,361	89.4	4,790	1,235	90.6	1,119	1,555	88.9	1,382	2,571	89.0	2,289
Dallas	7,178	90.4	6,489	1,849	94.8	1,753	2,629	88.9	2,338	2,700	88.8	2,398
Davis	3,207	77.8	2,498	846	90.9	769	434	71.5	310	1,927	73.6	1,419
Decatur	3,970	79.3	3,147	......	....	......	1,945	82.9	1,613	2,025	75.7	1,534
Delaware	4,903	87.7	4,300	1,188	91.1	1,082	1,345	85.2	1,145	2,370	87.5	2,073
Des Moines	10,875	89.9	9,777	7,861	92.0	7,232	1,113	86.5	963	1,901	83.2	1,582
Dickinson	3,294	92.1	3,035	......	....	......	1,928	91.7	1,768	1,366	92.8	1,267
Dubuque	15,915	91.7	14,587	11,513	93.9	10,810	2,001	86.7	1,735	2,401	85.1	2,042
Emmet	3,548	91.0	3,228	1,598	90.8	1,451	614	88.9	546	1,336	92.1	1,231
Fayette	7,919	88.5	7,013	2,162	94.9	2,051	2,449	86.6	2,122	3,308	85.9	2,840
Floyd	5,706	91.2	5,208	2,558	94.7	2,423	1,070	89.8	961	2,078	87.8	1,824
Franklin	4,446	92.3	4,102	1,209	92.2	1,115	938	90.5	849	2,299	93.0	2,138
Fremont	4,143	85.4	3,539	......	....	......	1,998	87.5	1,748	2,145	83.5	1,791
Greene	4,725	92.2	4,357	1,256	92.6	1,163	1,178	92.0	1,084	2,291	92.1	2,110
Grundy	3,703	94.3	3,494	......	....	......	1,769	93.4	1,653	1,934	95.2	1,841
Guthrie	4,889	86.0	4,206	......	....	......	2,305	85.6	1,974	2,584	86.4	2,232
Hamilton	5,380	93.4	5,024	1,931	95.9	1,852	1,128	91.4	1,031	2,321	92.2	2,141
Hancock	3,965	91.6	3,633	......	....	......	1,776	91.6	1,628	2,189	91.6	2,005
Hardin	6,301	92.2	5,810	2,209	94.6	2,089	1,818	89.6	1,629	2,274	92.0	2,092
Harrison	6,143	81.1	4,984	1,130	90.1	1,018	2,179	81.0	1,765	2,834	77.7	2,201
Henry	4,856	86.2	4,186	1,400	90.8	1,271	1,456	84.3	1,228	2,000	84.3	1,687
Howard	3,592	86.1	3,095	1,057	89.4	945	763	79.8	609	1,772	86.9	1,541
Humboldt	3,565	91.6	3,264	825	90.5	747	1,150	90.7	1,043	1,590	92.7	1,474
Ida	3,024	92.0	2,782	......	....	......	1,544	91.1	1,407	1,480	92.9	1,375
Iowa	4,662	87.9	4,099	......	....	......	2,321	87.6	2,034	2,341	88.2	2,065
Jackson	5,198	87.1	4,528	1,220	91.8	1,120	1,675	82.1	1,376	2,303	88.2	2,032
Jasper	8,847	90.8	8,032	3,012	93.9	2,828	2,561	89.1	2,281	3,274	89.3	2,923
Jefferson	4,641	86.1	3,997	2,067	93.8	1,940	721	78.3	565	1,853	80.5	1,492
Johnson	9,356	88.8	8,307	5,174	94.7	4,898	1,345	86.9	1,169	2,837	79.0	2,240
Jones	5,144	88.3	4,540	1,598	91.3	1,460	1,232	83.4	1,027	2,314	88.7	2,053
Keokuk	5,520	86.9	4,799	......	....	......	2,811	87.8	2,469	2,709	86.0	2,330
Kossuth	6,511	91.1	5,933	1,385	93.7	1,298	1,745	88.7	1,547	3,381	91.3	3,088
Lee	11,425	87.1	9,952	8,198	90.8	7,445	1,000	81.3	813	2,227	76.0	1,694
Linn	26,378	92.8	24,490	19,952	95.1	18,970	2,769	85.0	2,353	3,657	86.6	3,167
Louisa	3,265	84.1	2,746	......	....	......	1,683	83.5	1,405	1,582	84.8	1,341
Lucas	4,187	86.6	3,628	1,754	91.6	1,607	669	85.7	573	1,764	82.1	1,448
Lyon	3,772	89.3	3,369	732	93.9	687	1,152	87.4	1,007	1,888	88.7	1,675
Madison	4,215	83.8	3,533	1,145	85.5	979	753	85.3	643	2,317	82.5	1,911
Mahaska	7,696	88.7	6,824	3,409	92.0	3,137	1,327	85.5	1,135	2,960	86.2	2,552
Marion	7,299	88.0	6,427	2,792	94.2	2,630	1,914	83.2	1,592	2,593	85.0	2,205
Marshall	9,702	94.0	9,117	5,564	95.3	5,304	1,540	91.8	1,414	2,598	92.3	2,399
Mills	3,662	85.7	3,136	754	88.2	665	1,094	87.2	954	1,814	83.6	1,517
Mitchell	3,833	88.5	3,390	973	91.1	886	1,003	84.5	847	1,857	89.2	1,657
Monona	4,861	83.0	4,032	974	81.8	797	1,505	84.4	1,270	2,382	82.5	1,965
Monroe	3,964	83.1	3,300	1,518	92.5	1,404	650	81.2	528	1,796	76.2	1,368
Montgomery	4,606	92.0	4,238	1,764	95.4	1,684	1,099	87.6	963	1,743	91.3	1,591
Muscatine	9,259	90.5	8,375	5,662	92.3	5,228	1,603	88.6	1,420	1,994	86.6	1,727

IOWA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
O'Brien	5,185	93.4	4,845	1,122	93.8	1,052	1,975	93.9	1,854	2,088	92.9	1,939
Osceola	2,689	90.2	2,425	......	....	......	1,285	89.5	1,150	1,404	90.8	1,275
Page	6,678	89.1	5,952	3,495	90.7	3,168	899	83.5	751	2,284	89.0	2,033
Palo Alto	4,009	90.1	3,612	874	91.8	802	1,143	89.1	1,019	1,992	89.9	1,791
Plymouth	6,001	89.5	5,373	1,485	93.1	1,383	1,547	89.8	1,389	2,969	87.6	2,601
Pocahontas	4,204	93.6	3,934	......	....	......	1,954	92.9	1,814	2,250	94.2	2,120
Polk	56,516	94.0	53,129	47,856	94.9	45,427	5,361	88.4	4,738	3,299	89.8	2,964
Pottawattamie	18,471	90.3	16,675	11,693	92.1	10,773	2,752	88.8	2,445	4,026	85.9	3,457
Poweshiek	5,368	92.0	4,937	1,610	93.4	1,503	1,401	91.0	1,275	2,357	91.6	2,159
Ringgold	3,264	83.1	2,710	......	....	......	1,314	84.1	1,105	1,950	82.3	1,605
Sac	4,763	92.6	4,412	915	92.1	843	1,699	91.3	1,551	2,149	93.9	2,018
Scott	24,166	93.9	22,686	19,950	94.8	18,918	1,845	88.7	1,637	2,371	89.9	2,131
Shelby	4,255	90.6	3,854	1,102	95.3	1,050	945	90.3	853	2,208	88.4	1,951
Sioux	6,647	86.9	5,776	726	86.7	630	2,790	88.9	2,482	3,131	85.1	2,664
Story	9,286	94.5	8,773	4,572	97.7	4,467	2,129	91.5	1,947	2,585	91.3	2,359
Tama	6,237	90.9	5,670	860	93.3	803	2,482	90.0	2,234	2,895	91.0	2,633
Taylor	4,176	83.9	3,505	......	....	......	1,917	84.2	1,614	2,259	83.7	1,891
Union	4,848	88.8	4,303	2,486	90.6	2,253	778	91.0	708	1,584	84.7	1,342
Van Buren	3,702	82.7	3,063	......	....	......	1,801	84.0	1,513	1,901	81.5	1,550
Wapello	12,834	89.5	11,479	9,262	92.8	8,592	1,375	84.7	1,165	2,197	78.4	1,722
Warren	5,110	84.5	4,321	1,325	92.5	1,226	1,283	84.8	1,088	2,502	80.2	2,007
Washington	5,746	87.1	5,002	1,661	91.6	1,522	1,485	84.0	1,247	2,600	85.9	2,233
Wayne	4,016	84.6	3,400	......	....	......	2,125	87.8	1,866	1,891	81.1	1,534
Webster	11,374	92.9	10,568	6,481	94.4	6,120	1,976	90.1	1,781	2,917	91.4	2,667
Winnebago	3,555	88.7	3,152	741	89.8	665	1,074	88.0	945	1,740	88.6	1,542
Winneshiek	5,807	87.2	5,060	1,580	92.5	1,461	1,192	80.6	961	3,035	86.9	2,638
Woodbury	28,394	91.4	25,966	22,851	93.2	21,295	2,371	86.3	2,047	3,172	82.7	2,624
Worth	3,006	88.8	2,670	......	....	......	1,357	89.3	1,212	1,649	88.4	1,458
Wright	5,442	93.5	5,085	2,004	94.1	1,886	1,308	92.1	1,205	2,130	93.6	1,994
State Total	701,824	90.2	633,168	312,393	93.7	292,724	161,077	87.6	141,059	228,354	87.3	199,385

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Burlington	Des Moines	7,861	92.0	7,232
Cedar Rapids	Linn	18,488	95.3	17,611
Clinton	Clinton	7,467	95.1	7,098
Council Bluffs	Pottawattamie	11,693	92.1	10,773
Davenport	Scott	19,141	94.8	18,149
Des Moines	Polk	46,629	94.9	44,262
Dubuque	Dubuque	11,513	93.9	10,810
Mason City	Cerro Gordo	7,238	94.1	6,814
Ottumwa	Wapello	9,262	92.8	8,592
Sioux City	Woodbury	22,851	93.2	21,295
Waterloo	Black Hawk	14,930	96.2	14,364

RHODE ISLAND

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Bristol	6,478	96.7	6,266	6,478	96.7	6,266	......	....	......	......	....	......
Kent	15,302	95.5	14,615	13,269	96.0	12,744	1,874	92.6	1,736	159	84.6	135
Newport	11,981	95.9	11,490	7,663	96.5	7,393	3,585	95.2	3,413	733	93.4	684
Providence	145,070	95.9	139,184	140,888	96.1	135,352	3,243	92.8	3,010	939	87.5	822
Washington	8,875	91.2	8,097	2,938	93.9	2,760	5,158	90.7	4,676	779	84.8	661
State Total	187,706	95.7	179,652	171,236	96.1	164,515	13,860	92.6	12,835	2,610	88.2	2,302

RHODE ISLAND—*Continued*

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Central Falls	Providence	6,512	94.6	6,159
Cranston	Providence	11,252	97.7	10,997
East Providence	Providence	8,449	96.8	8,180
Newport	Newport	7,663	96.5	7,393
Pawtucket	Providence	20,800	96.1	20,420
Providence	Providence	67,501	96.3	64,988
Warwick	Kent	7,817	96.9	7,575
Woonsocket	Providence	13,040	94.1	12,271

NAB Research Department June 24, 1942

SOUTH DAKOTA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Rado Units
Armstrong	11	81.8	9	......	....	......	......	....	......	11	81.8	9
Aurora	1,398	80.0	1,118	......	....	......	488	84.1	410	910	77.8	708
Beadle	5,231	89.2	4,665	3,033	94.2	2,859	602	84.5	509	1,596	81.2	1,297
Bennett	991	55.4	548	......	....	......	422	44.9	189	569	63.2	359
Bon Homme	2,769	80.6	2,231	......	....	......	1,313	81.3	1,068	1,456	79.9	1,163
Brookings	4,266	89.8	3,830	1,530	92.2	1,410	802	85.6	687	1,934	89.6	1,733
Brown	7,711	93.0	7,170	4,539	96.0	4,358	1,127	85.1	959	2,045	90.6	1,853
Brule	1,674	81.1	1,357	......	....	......	823	82.7	680	851	79.6	677
Buffalo	434	60.0	261	......	....	......	235	47.2	111	199	75.4	150
Butte	2,138	83.9	1,794	......	....	......	1,165	85.8	999	973	81.7	795
Campbell	1,120	77.9	873	......	....	......	415	72.5	301	705	81.1	572
Charles Mix	3,233	72.6	2,350	......	....	......	1,210	77.8	942	2,023	69.6	1,408
Clark	2,315	86.2	1,996	......	....	......	918	85.1	782	1,397	86.9	1,214
Clay	2,619	88.6	2,320	982	91.1	895	307	85.7	263	1,330	87.4	1,162
Codington	4,318	90.4	3,902	2,786	92.7	2,583	427	83.9	358	1,105	87.0	961
Corson	1,587	73.6	1,167	......	....	......	719	73.5	528	868	73.7	639
Custer	1,708	72.9	1,245	......	....	......	1,058	72.4	766	650	73.6	479
Davison	4,192	90.1	3,779	3,008	92.4	2,780	242	83.8	203	942	84.4	796
Day	3,346	85.0	2,843	......	....	......	1,531	84.5	1,293	1,815	85.4	1,550
Deuel	2,038	86.9	1,772	......	....	......	758	86.2	653	1,280	87.4	1,119
Dewey	1,338	71.6	958	......	....	......	762	70.9	540	576	72.6	418
Douglas	1,579	80.5	1,271	......	....	......	578	83.9	485	1,001	78.5	786
Edmunds	1,830	82.5	1,511	......	....	......	846	78.1	661	984	86.3	850
Fall River	2,073	82.0	1,699	950	85.3	810	502	81.1	407	621	77.6	482
Faulk	1,329	90.1	1,198	......	....	......	603	88.7	535	726	91.3	663
Grant	2,665	91.2	2,429	744	91.5	680	595	90.1	536	1,326	91.5	1,213
Gregory	2,404	75.7	1,821	......	....	......	1,012	78.2	791	1,392	74.0	1,030
Haakon	1,004	83.1	834	......	....	......	390	87.3	340	614	80.5	494
Hamlin	1,893	84.9	1,607	......	....	......	840	86.4	725	1,053	83.8	882
Hand	1,795	87.4	1,569	......	....	......	604	87.5	529	1,191	87.3	1,040
Hanson	1,368	84.9	1,162	......	....	......	499	89.1	445	869	82.6	717
Harding	831	71.5	594	......	....	......	245	64.5	158	586	74.4	436
Hughes	1,858	88.2	1,639	1,239	91.4	1,132	202	78.6	159	417	83.5	348
Hutchinson	3,111	79.3	2,467	......	....	......	1,381	79.9	1,103	1,730	78.8	1,364
Hyde	788	87.0	686	......	....	......	338	86.3	292	450	87.5	394
Jackson	555	76.2	423	......	....	......	280	77.8	218	275	74.6	205
Jerauld	1,271	83.8	1,064	......	....	......	596	83.3	496	675	84.2	568
Jones	690	82.5	569	......	....	......	302	85.6	258	388	80.1	311
Kingsbury	2,843	85.1	2,419	......	....	......	1,394	85.9	1,197	1,449	84.3	1,222
Lake	3,159	89.7	2,832	1,401	90.4	1,266	436	87.0	379	1,322	89.8	1,187
Lawrence	5,330	89.2	4,753	3,350	90.4	3,030	1,462	88.7	1,297	518	82.2	426
Lincoln	3,429	88.2	3,027	700	94.0	658	848	83.5	708	1,881	88.3	1,661
Lyman	1,281	78.8	1,009	......	....	......	511	78.5	401	770	79.0	608
McCook	2,466	85.2	2,101	......	....	......	1,083	86.5	937	1,383	84.2	1,164
McPherson	1,871	73.0	1,365	......	....	......	729	72.1	525	1,142	73.6	840

SOUTH DAKOTA—*Continued*

County	All Units Units	 % Radio	 Radio Units	Urban Units Units	 % Radio	 Radio Units	Rural-Nonfarm Units Units	 % Radio	 Radio Units	Rural-Farm Units Units	 % Radio	 Radio Units
Marshall	2,122	84.3	1,790	......	....	......	909	82.0	745	1,213	86.1	1,045
Meade	2,668	79.8	2,131	880	82.8	729	411	78.5	322	1,377	78.4	1,080
Mellette	960	53.3	511	......	....	......	343	55.5	190	617	52.1	321
Miner	1,781	85.5	1,523	......	....	......	720	89.4	644	1,061	82.8	879
Minnehaha	15,504	92.9	14,409	11,245	94.2	10,596	1,660	89.2	1,480	2,599	89.8	2,333
Moody	2,460	90.0	2,214	......	....	......	1,060	88.9	942	1,400	90.9	1,272
Pennington	6,677	85.7	5,719	3,951	90.2	3,564	1,634	78.8	1,287	1,092	79.5	868
Perkins	1,705	80.4	1,371	......	....	......	648	83.7	542	1,057	78.4	829
Potter	1,195	85.2	1,018	......	....	......	660	83.4	551	535	87.4	467
Roberts	3,815	84.4	3,221	644	87.6	564	823	86.3	710	2,348	82.9	1,947
Sanborn	1,566	80.4	1,259	......	....	......	637	78.7	501	929	81.5	758
Shannon	1,183	46.1	546	......	....	......	514	58.9	303	669	36.3	243
Spink	3,178	90.1	2,864	......	....	......	1,584	91.2	1,444	1,594	89.1	1,420
Stanley	575	83.9	483	......	....	......	269	88.2	237	306	80.4	246
Sully	656	82.9	544	......	....	......	209	85.1	178	447	81.9	366
Todd	1,244	54.2	675	......	....	......	592	46.9	278	652	60.9	397
Tripp	2,482	79.7	1,979	......	....	......	942	84.1	792	1,540	77.1	1,187
Turner	3,539	85.6	3,029	......	....	......	1,586	88.6	1,404	1,953	83.2	1,625
Union	3,058	86.3	2,639	......	....	......	1,354	86.1	1,166	1,704	86.5	1,473
Walworth	1,815	87.3	1,585	769	93.0	715	439	80.3	352	607	85.4	518
Washabaugh	439	51.6	227	......	....	......	121	36.7	44	318	57.4	183
Washington	368	51.8	191	......	....	......	59	56.1	33	309	51.0	158
Yankton	3,870	83.8	3,242	1,807	92.0	1,662	507	73.9	374	1,556	77.5	1,206
Ziebach	708	63.2	447	......	....	......	267	57.4	153	441	66.7	294
State Total	165,428	84.6	139,854	43,558	92.5	40,291	49,548	81.8	40,495	72,322	81.7	59,068

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Sioux Falls	Minnehaha	11,245	94.2	10,596

TENNESSEE

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units Units	 % Radio	 Radio Units	Urban Units Units	 % Radio	 Radio Units	Rural-Nonfarm Units Units	 % Radio	 Radio Units	Rural-Farm Units Units	 % Radio	 Radio Units
Anderson	5,977	61.3	3,659	702	83.0	583	3,006	66.9	2,012	2,269	46.9	1,064
Bedford	6,199	67.7	4,196	1,968	73.6	1,449	1,157	73.6	852	3,074	61.7	1,895
Benton	2,999	41.8	1,253	......	....	......	1,191	47.0	560	1,808	38.3	693
Bledsoe	1,744	41.7	727	......	....	......	599	48.3	289	1,145	38.3	438
Blount	9,534	72.2	6,896	2,715	87.2	2,368	2,915	76.9	2,242	3,904	58.5	2,286
Bradley	6,873	66.8	4,593	2,996	83.0	2,486	1,553	63.2	981	2,324	48.5	1,126
Campbell	6,709	56.4	3,783	967	71.2	689	3,586	58.9	2,113	2,156	45.5	981
Cannon	2,375	39.5	939	......	....	......	395	56.2	222	1,980	36.2	717
Carroll	6,713	51.9	3,483	......	....	......	2,714	62.4	1,693	3,999	44.8	1,790
Carter	7,761	66.6	5,158	2,016	85.3	1,720	2,839	62.0	1,760	2,906	57.8	1,678
Cheatam	2,335	53.3	1,246	......	....	......	652	63.2	412	1,683	49.6	834
Chester	2,642	47.2	1.248	......	....	......	980	53.6	525	1,662	43.5	723
Claiborne	5,338	48.2	2,568	......	....	......	1,429	69.6	995	3,909	40.2	1,573
Clay	2,313	39.3	910	......	....	......	360	54.3	196	1,953	36.5	714
Cocke	5,284	47.6	2,530	867	78.6	681	879	46.7	411	3,538	40.6	1,438
Coffee	4,616	55.7	2,568	1,281	76.9	985	873	65.6	573	2,462	41.0	1,010
Crockett	4,425	51.8	2,290	......	....	......	1,114	57.5	641	3,311	49.8	1,649
Cumberland	3,451	43.2	1,492	......	....	......	1,168	49.5	578	2,283	40.0	914
Davidson	66,923	82.1	54,922	45,804	80.5	36,890	16,703	89.5	14,949	4,416	69.8	3,083
Decatur	2,444	52.5	1,284	......	....	......	1,115	53.9	601	1,329	51.4	683

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
DeKalb	3,555	48.1	1,711	......	....	......	848	62.5	530	2,707	43.6	1,181
Dickson	4,831	50.1	2,425	1,004	85.7	860	1,000	49.7	497	2,827	37.8	1,068
Dyer	9,016	63.1	5,685	2,847	72.4	2,061	1,649	62.2	1,025	4,520	57.5	2,599
Fayette	6,813	21.6	1,476	......	....	......	1,127	44.4	501	5,686	17.2	975
Fentress	2,888	35.6	1,029	......	....	......	935	44.4	416	1,953	31.4	613
Franklin	5,505	59.1	3,254	719	76.9	553	1,812	65.4	1,185	2,974	51.0	1,516
Gibson	11,854	57.6	6,831	3,346	64.6	2,160	1,587	62.9	997	6,921	53.1	3,674
Giles	7,191	54.5	3,921	1,484	71.3	1,058	776	61.9	480	4,931	48.3	2,383
Grainger	3,233	38.4	1,239	......	....	......	341	49.0	167	2,892	37.1	1,072
Greene	9,065	58.1	5,272	1,587	75.2	1,193	849	58.6	498	6,629	54.0	3,581
Grundy	2,574	54.0	1,390	......	....	......	1,821	55.6	1,013	753	50.0	377
Hamblen	4,550	60.7	2,762	2,106	73.0	1,537	508	52.1	265	1,936	49.6	960
Hamilton	45,942	77.6	35,677	34,213	79.9	27,328	8,622	75.7	6,531	3,107	58.5	1,818
Hancock	2,343	35.2	825	......	....	......	149	30.3	45	2,194	35.5	780
Hardeman	5,033	38.7	1,946	......	....	......	1,746	55.5	969	3,287	29.7	977
Hardin	4,120	49.0	2,028	......	....	......	1,715	54.7	939	2,405	45.3	1,089
Hawkins	6,405	52.9	3,389	......	....	......	1,586	68.4	1,085	4,819	47.8	2,304
Haywood	6,541	32.0	2,096	1,193	54.2	647	441	38.7	170	4,907	26.1	1,279
Henderson	4,611	53.0	2,446	688	69.7	480	1,108	41.5	465	2,815	53.3	1,501
Henry	6,893	53.4	3,676	1,838	74.4	1,367	1,450	50.2	728	3,605	43.9	1,581
Hickman	3,391	50.0	1,695	......	....	......	1,116	54.3	606	2,275	47.9	1,089
Houston	1,512	50.9	771	......	....	......	506	63.6	322	1,006	44.6	449
Humphreys	2,958	46.1	1,368	......	....	......	1,039	55.6	578	1,919	41.1	790
Jackson	3,344	41.6	1,392	......	....	......	312	61.1	190	3,032	39.6	1,202
Jefferson	4,264	60.5	2,582	602	94.6	570	768	67.2	516	2,894	51.7	1,496
Johnson	2,825	44.3	1,254	......	....	......	691	48.8	337	2,134	43.0	917
Knox	43,990	78.6	34,573	28,601	82.9	23,723	8,747	76.7	6,713	6,642	62.3	4,137
Lake	3,046	43.4	1,321	......	....	......	1,014	62.4	633	2,032	33.9	688
Launderdale	5,961	46.0	2,743	779	59.9	466	1,031	54.9	566	4,151	41.2	1,711
Lawrence	6,533	49.7	3,253	998	76.8	766	1,554	56.7	881	3,981	40.3	1,606
Lewis	1,313	56.2	738	......	....	......	605	59.5	360	708	53.4	378
Lincoln	6,651	61.5	4,084	1,386	78.4	1,086	865	60.9	527	4,400	56.2	2,471
Loudon	4,571	66.0	3,011	1,789	82.3	1,472	755	69.2	522	2,027	50.2	1,017
McMinn	7,376	62.5	4,603	2,698	81.2	2,192	1,198	60.1	720	3,480	48.6	1,691
McNairy	4,846	44.5	2,155	......	....	......	1,673	51.6	864	3,173	40.7	1,291
Macon	3,691	48.4	1,784	......	....	......	654	62.0	405	3,037	45.4	1,379
Madison	14,360	59.9	8,588	7,174	70.2	5,036	2,353	68.7	1,615	4,833	40.1	1,937
Marion	4,286	57.7	2,474	......	....	......	3,237	60.6	1,961	1,049	48.9	513
Marshall	4,260	65.5	2,796	1,029	78.1	803	635	67.6	430	2,596	60.2	1,563
Maury	10,377	64.9	6,728	3,882	75.5	2,931	2,147	60.3	1,294	4,348	57.6	2,503
Meigs	1,395	50.3	702	......	....	......	172	68.6	118	1,223	47.7	584
Monroe	5,328	48.1	2,560	649	79.4	515	1,022	61.9	633	3,657	38.6	1,412
Montgomery	8,288	59.3	4,913	3,304	72.1	2,382	997	56.4	562	3,987	49.4	1,969
Moore	1,031	53.5	551	......	....	......	184	60.5	111	847	52.0	440
Morgan	3,085	52.3	1,614	......	....	......	1,379	61.9	854	1,706	44.5	760
Obion	8,268	65.8	5,439	2,088	74.4	1,554	2,327	56.8	1,322	3,853	66.5	2,563
Overton	4,064	31.0	1,263	......	....	......	1,034	43.0	444	3,030	27.0	819
Perry	1,770	54.1	958	......	....	......	624	54.3	339	1,146	54.0	619
Pickett	1,282	36.0	462	......	....	......	185	45.9	85	1,097	34.4	377
Polk	3,242	54.8	1,774	......	....	......	1,774	67.9	1,205	1,468	38.8	569
Putnam	6,036	47.6	2,866	1,118	85.4	955	1,511	49.4	747	3,407	34.2	1,164
Rhea	3,754	55.7	2,085	......	....	......	2,135	66.2	1,414	1,619	41.4	671
Roane	6,295	59.1	3,724	2,373	73.6	1,746	1,690	58.2	984	2,232	44.5	994
Robertson	7,182	56.4	4,049	1,716	63.2	1,084	1,301	64.9	844	4,165	50.9	2,121
Rutherford	8,381	60.8	5,090	2,746	72.6	1,993	1,101	63.5	699	4,534	52.9	2,398
Scott	3,349	44.6	1,492	......	....	......	1,823	51.6	940	1,526	36.2	552
Sequatchie	1,111	47.2	525	......	....	......	408	54.2	221	703	43.3	304
Sevier	5,078	48.5	2,462	......	....	......	1,246	66.5	829	3,832	42.6	1,633
Shelby	96,769	70.6	68,364	81,081	74.9	60,696	6,256	62.6	3,916	9,432	39.8	3,752
Smith	4,168	56.0	2,335	......	....	......	981	61.0	598	3,187	54.5	1,737
Stewart	3,049	51.3	1,566	......	....	......	770	58.8	453	2,279	48.8	1,113
Sullivan	16,079	75.3	12,102	7,015	85.9	6,026	4,470	74.1	3,314	4,594	60.1	2,762
Sumner	8,146	57.5	4,680	1,359	73.8	1,003	1,494	61.8	923	5,293	52.0	2,754
Tipton	6,775	45.6	3,095	1,010	65.0	656	840	46.2	388	4,925	41.6	2,051
Trousdale	1,534	61.2	939	......	....	......	485	67.2	326	1,049	58.5	613

TENNESSEE—*(Continued)*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Unicoi	3,050	58.3	1,783	805	89.8	723	1,094	54.7	598	1,151	40.1	462
Union	2,004	40.8	818	......	....	......	227	51.2	116	1,777	39.5	702
Van Buren	894	44.0	393	......	....	......	323	46.3	149	571	42.7	244
Warren	4,939	52.9	2,617	1,297	76.0	986	627	54.3	341	3,015	42.8	1,290
Washington	11,690	70.4	8,231	5,632	79.7	4,487	2,229	60.9	1,358	3,829	62.3	2,386
Wayne	3,081	40.4	1,242	......	....	......	991	56.9	564	2,090	32.4	678
Weakley	8,092	54.1	4,382	1,064	75.1	799	1,856	60.6	1,125	5,172	47.5	2,458
White	3,733	43.5	1,628	646	81.1	524	700	37.7	264	2,387	35.2	840
Williamson	6,080	57.4	3,487	1,208	72.5	876	710	65.9	468	4,162	51.5	2,143
Wilson	6,699	60.0	4,016	1,666	73.1	1,217	1,033	62.3	643	4,000	53.9	2,156
State Total	714,894	62.5	446,943	276,056	77.7	214,362	152,197	65.1	99,046	286,641	46.6	133,535

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Chattanooga	Hamilton	33,471	79.6	26,635
Knoxville	Knox	28,601	82.9	23,723
Memphis	Shelby	81,081	74.9	60,696
Nashville	Davidson	45,804	80.5	36,890

NAB Research Department

June 24, 1942

FEDERAL COMMUNICATIONS COMMISSION

COMMITTEE APPROVES FLY

The Senate Committee on Interstate Commerce has favorably reported the nomination of James Lawrence Fly to succeed himself on the FCC. The Fly nomination is for a period of seven years from July 1.

DCB NOW BWC

The name of the Defense Communications Board was changed to Board of War Communications on June 15 by Executive Order.

DAVIS THANKS NAB

Elmer Davis, the Director of the Office of War Information, has acknowledged receipt of and thanked Neville Miller for his offer of cooperation. He states that he will certainly call upon NAB for assistance as needed.

IN MEMORIAM

C. G. Phillips, president and general manager of KIDO, Boise, Idaho, died suddenly in Portland, Oregon, from a heart attack. Mr. Phillips was a loyal and valuable member of NAB and we deeply regret his passing.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 29. They are subject to change.

Monday, June 29

NEW—WKAL, Inc., Kalamazoo, Mich.—C. P., **1230 kc.,** 250 watts, unlimited.

Thursday, July 2

Further Consolidated Hearing

NEW—Herald Publishing Co., Klamath Falls, Ore.—C. P., **1400 kc.,** 250 watts, unlimited.

NEW—Dorman Schaeffer, Klamath Falls, Ore.—C. P., **1400 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WSNJ—Howard S. Frazier and W. Burley Frazier (Transferors), Elmer H. Wene (Transferee), Eastern States Broadcasting Corp. (Licensee), Bridgeton, N. J.—Granted consent to transfer of control of Eastern States Broadcasting Corporation, licensee of station WSNJ, from Howard S. Frazier and W. Burley Frazier to Elmer H. Wene, for a total consideration of $3,047, representing 603 shares of common stock (B1-TC-299).

KYA—Palo Alto Radio Station, Inc. (Assignee), Hearst Radio, Inc. (Assignor), San Francisco, Cal.—Granted consent to assignment of license of station KYA (B5-AL-344), from Hearst Radio, Inc., to Palo Alto Radio Station, Inc., for a total consideration of $50,000.

K49KC—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Kansas City, Mo.—Granted modification of construction permit (B4-MPH-95) for extension of time to November 23, 1942, within which to construct a commercial FM broadcast station. Also granted special temporary authority to operate K49KC commercially with temporary equipment.

W49FW—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted modification of construction permit (B4-MPH-82) for extension of time to October 15, 1942, within which to complete construction. Also granted special temporary authority to operate on a commercial basis with a temporary antenna system pending completion of the antenna specified in the permit.

W57PH—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Granted modification of construction permit (B2-MPH-71) for proposed antenna system, transmitter site and equipment. Also granted special temporary authority to operate station on a commercial basis with a temporary antenna system pending completion of antenna specified in modification of permit application.

John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for extension of effective date of Commission's Order on application for renewal of license, Docket 5430, for a period of 3 months.

Central New York Broadcasting Corp., Syracuse, N. Y.—Granted authority to close the Commission records with respect to FM station W63SY, by cancelling outstanding construction permit (B1-PH-50) and deleting call signals.

LICENSE RENEWALS

KWLK—Twin City Broadcasting Corp., Longview, Wash.—Granted renewal of station license for the period ending not later than August 1, 1943 (B5-R-959).

Granted renewal of following station licenses for the period ending in no event later than August 1, 1944:

KTBC, Austin, Tex.; WCAE and auxiliary, Pittsburgh, Pa.; WFMD, Frederick, Md.

Granted further extension of following station licenses upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than August 1, 1942:

KBST, Big Spring, Tex.; KCMC, Texarkana, Tex.; KFJB, Marshalltown, Iowa; KGKL, San Angelo, Tex.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KSWO, Lawton, Okla.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KVGB, Great Bend, Kans.; KXL, Portland, Ore.; WBRB, Red Bank, N. J.; WCAX, Burlington, Vt.; WCAZ, Carthage, Ill.; WCOC, Meridian, Miss.; WMRO, Aurora, Ill.; WSPB, Sarasota, Fla.; KGGF, Coffeyville, Kans.; KMTR, Los Angeles, Calif.; WCBT, Roanoke Rapids, N. C.; WCOP, Boston, Mass.; WFPG, Atlantic City, N. J.; WOV, New York, N. Y.; WSPR, Springfield, Mass.; KGIW, Alamosa, Colo.; KVAK, Atchison, Kans.; KWKH, Shreveport, La.; WOV, auxiliary, New York, N. Y.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted further extension of station license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than August 1, 1942.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted further extension of station license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than August 1, 1942.

W9XER—Midland Broadcasting Co., Kansas City, Mo.—Granted renewal of station license for the period ending not later than May 1, 1943.

Granted further extension of following station licenses upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than August 1, 1942:

W3XDD, W3XPY, Phippany, N. J.; W8XO, near Mason, Ohio.

W8XUM—WBNS, Inc., Columbus, Ohio.—Granted further extension of station license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than August 1, 1942.

DESIGNATED FOR HEARING

KINY—Edwin A. Kraft, Juneau, Alaska.—Designated for hearing modification of construction permit (B-P-3089) to change frequency to **1050 kc.**, make changes in transmitting equipment and commencement and completion dates (B-MP-1478).

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Designated for hearing application for construction permit (B5-P-3483) to change frequency to **1050 kc.** and increase height of antenna. To be consolidated with hearing on KINY above.

WJOB—O. E. Richardson, Fred L. Adair & Robert C. Adair, d/b as Radio Station WJOB, Hammond, Ind.—Designated for hearing application for construction permit (B4-P-3470) to increase power to 250 watts and make changes in equipment.

CASES DISMISSED

In its Memorandum Opinion of April 27, the Commission stated its policy, among other things, not to grant applications involving the use of materials to construct or change transmitting facilities for standard, FM and television broadcast stations. The Commission on June 23, in view of this policy, dismissed without prejudice the following applications:

Standard

E. Ogden Driggs & Louise Rust Driggs, a partnership, d/b as Frankfort Broadcasting Co., Frankfort, Ky. (B2-P-3429); WTMJ, The Journal Co. (The Milwaukee Journal), Milwaukee, Wisc. (B4-P-3397); WMC, Memphis Publishing Co., Memphis, Tenn. (B3-P-3380); KXA, American Radio Telephone Co., Seattle, Wash. (B5-P-3358); KVI, Puget Sound Broadcasting Co., Inc., Tacoma, Wash. (B5-P-3348); WFBR, The Baltimore Radio Show, Inc., Baltimore, Md. (B1-P-3333); KOWH, World Publishing Co., Omaha, Nebr. (B4-P-3313); KVAK, Radio Enterprises, Inc., Atchison, Kans. (B4-P-3309); KOIN, KOIN, Inc., Portland, Ore. (B5-P-3300); KGIR, KGIR, Inc., Butte, Mont. (B5-P-3298); KVNU, Cache Valley Broadcasting Co., Logan, Utah (B5-P-3243); Northern Ohio Broadcasting Co., Elyria, Ohio (B2-P-3230); WCOV, E. D. Rivers, Valdosta, Ga. (B3-P-3213); WBAX, John H. Stenger, Jr., Wilkes-Barre, Pa. (B2-P-3014); WTMC, Ocala Broadcasting Co., Inc., Ocala, Fla. (B3-P-2708); KTSW, Emporia Broadcasting Co., Inc., Emporia, Kans. (B4-P-3457); KGW, Oregonian Publishing Co., Portland, Ore. (B5-P-3450); WHIS, Daily Telegraph Printing Co., Bluefield, W. Va. (B2-P-3434); WJHL, WJHL, Inc., Johnson City, Tenn. (B3-P-3433); KBPS, Benson Polytechnic School, R. T. Stephens, Agent, Portland, Ore. (B5-P-3154); WJDX, Lamar Life Insurance Co., Jackson, Miss. (B3-P-3031); WREN, The WREN Broadcasting Co., Inc., Lawrence, Kans. (B4-P-2272).

Television

Allen B. DuMont Laboratories, Inc., Washington, D. C. (B1-PCT-16).

Relay

L. B. Wilson, Inc., Portable-Mobile, area of Cincinnati, Ohio (B2-PRE-417); WEWE, WJIM, Inc., Portable-Mobile, area of Lansing, Mich. (B2-PRE-424).

FM

Houston Printing Corp., Houston, Tex. (B3-PH-126).

DOCKET CASES

Standard

Robert V. Lee, Bradenton, Fla. (Docket 5944); Midstate Radio Corp., Utica, N. Y. (Docket 6141); WIRE, Indianapolis Broadcasting Inc., Indianapolis, Ind. (Docket 6237); Fred C. Morgan, Harrison Eiteljorg, Roger A. Beane, d/b as Hoosier Broadcasting Co., Indianapolis, Ind. (Docket 6263); Dyke Cullum and Harry R. England, as co-partners, d/b as Radio Co. of Annapolis, Annapolis, Md. (Docket 6279); WRUF, University of Florida, Gainesville, Fla. (Docket 6281); KGHF, Curtis P. Ritchie, Pueblo, Colo. (Docket 6312); Eastern Pennsylvania Broadcasting Corp., Scranton, Pa. (Docket 6314); Aloha Broadcasting Co., Ltd., Honolulu, T.H. (Docket 6315); WICA, WICA, Inc., Ashtabula, Ohio (Docket 6120); WWSW, Walker & Downing Radio Corp., Pittsburgh, Pa. (Docket 6121); Lake Shore Broadcasting Corp., Cleveland, Ohio (Docket 6172); KGNC, Plains Radio Broadcasting Co., Amarillo, Tex. (Docket 6211); Charles P. Blackley, Staunton, Va. (Docket 6215); Bob Jones College, Inc., Cleveland, Tenn. (Docket 6221); Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich. (Docket 6231); WAGE, Sentinel Broadcasting Corp., Syracuse, N. Y. (Docket 6259); William L. Klein, Chicago, Ill. (Docket 6271); WCBS, WCBS, Inc., Springfield, Ill. (Docket 6298); WLAW, Hildreth & Rogers Co., Lawrence Mass., (Docket 6306); Western Mass. Broadcasting Co., Pittsfield, Mass. (Docket 5998); Parkersburg Sentinel Co., Parkersburg, W. Va. (Docket 6031); Colonial Broadcasting Corp., Norfolk, Va. (Docket 6057); WRAL, Capitol Broadcasting Co., Inc., Raleigh, N. C. (Docket 6210).

Commercial Television

WIXG, General Television Corp., Boston, Mass. (Dockets 5988 and 5989).

FM

Piedmont Publishing Co., Winston-Salem, N. C. (Docket 6045).

MISCELLANEOUS

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted modification of construction permit, as modified, for new transmitter, increase in power, install directional antenna for night use and change in hours of operation, for extension of completion date from June 30 to December 31, 1942 (B2-MP-1580).

WIUC—University of Illinois, Urbana, Ill.—Granted modification of construction permit, as modified, for new non-commercial educational broadcast station, for change in transmitter location, change in antenna system, and extension of commencement and completion dates from September 16, 1941, and July 16, 1942, to 10 days after grant hereof and 60 days thereafter, respectively (B4-MPED-13).

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted modification of construction permit, as modified, which authorized new high frequency broadcast station, for change in type of transmitter only (B4-MPH-100).

WAWZ—Pillar of Fire, Zarephath, N. J.—Granted license to cover construction permit for installation of new transmitter, changes in directional antenna system, and increase in power (B1-L-1672); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1405).

WWSW—Walker and Downing Radio Corp., Pittsburgh, Pa.—Granted license to cover construction permit for changes in auxiliary transmitting equipment (B2-L-1671).

KGKF—KGKL, Inc., Portable-Mobile, area of San Angelo, Tex.—Granted application for license for reinstatement of relay broadcast station license which expired October 1, 1941 (B3-LRY-264).

KWFR—Wichita Broadcasting Co., Portable-Mobile, area of Wichita Falls, Tex.—Granted license to cover construction permit for new relay broadcast station (B3-LRY-280).

WJW—WJW, Inc., Akron, Ohio.—Granted petition for an extension of time in which to file an opposition to the petition for rehearing filed by the Capitol Broadcasting Co., Inc., against the grant of the application of WJW, Inc., for changes in its directional antenna and transmitter location; time extended to June 19, 1942.

Herald Publishing Co., and Dorman Schaeffer (both at Klamath Falls, Ore.)—Continued until July 2, 1942, the further hearing on applications for construction permits for new stations (Docket Nos. 6090 and 6091).

Mosby's Inc., Anaconda, Mont.—Denied petition for reconsideration and grant of application for new station (Docket 5966), and amended the issues heretofore released to eliminate reference to Memorandum Opinion of February 23 and substitute therefor an issue in the opinion of April 27, 1942.

Beauford H. Jester, Individually, and as Trustee for W. W. Callan, Dewit T. Hicks, Hilton W. Howell, Wilford W. Haman, Robert G. Levy, Ross M. Sans, and Davis Stribling, Waco, Texas.—Denied petition to reconsider and grant without hearing application for construction permit for new station, and denied petition to prosecute pending application pursuant to provisions of Commission's Memorandum Opinion of April 27, 1942.

South Florida Broadcasting, Inc., Miami, Fla.—Denied petition to reconsider and grant application for new station pursuant to Commission's Memorandum Opinion of April 27, 1942 (Docket 6153).

The Evening News Press, Inc., Port Angeles, Wash.—Denied petition for grant of application for construction permit for new station, and designated said application for further hearing (Docket 4875).

Columbia Broadcasting System, Inc., Boston, Mass.—Denied petition to grant application for new FM station near Paxton, Mass., and designated said application for further hearing (Docket 6024).

WKAL, Inc., Kalamazoo, Mich.—Granted motion to dismiss without prejudice application (B2-P-3270) for new station.

KMP—Eddie Erlbacher, Cape Girardeau, Mo.—Granted petition for continuance to August 3 of hearing now scheduled for June 30, in re application (P2-PC-101-A).

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Granted petition for dismissal without prejudice of application for modification of construction permit for extension of completion date.

South Florida Broadcasting, Inc., Miami, Fla.—Granted motion for continuance to July 14 of hearing now scheduled for June 24 in application for a new station (B3-P-2942).

APPLICATIONS FILED AT FCC

560 Kilocycles

KFDM—Beaumont Broadcasting Corp., Beaumont, Tex.—Construction permit to install new transmitter.

620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Construction permit to move auxiliary transmitter 3¼ miles from San Juan District, San Juan, P. R., to Sabana Llana, Municipality Rio Piedras, P. R. (location of main transmitter) and use for auxiliary purposes only.

930 Kilocycles

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Modification of construction permit (B3-P-3114, as modified, which authorized installation of directional antenna for night use, move of transmitter, and increase in power to 5 KW day and night) for extension of completion date from 7-20-42 to 1-20-43.

1080 Kilocycles

WINK—Mid-America Broadcasting Corp., Louisville, Ky.—Modification of construction permit (B2-P-2760) which authorized a new broadcast station, for extension of commencement and completion dates from 1-12-42 and 7-12-42 to 7-12-42 and 1-12-43, respectively.

1160 Kilocycles

KSL—Radio Service Corporation of Utah, Salt Lake City, Utah.—Construction permit to make changes in transmitting equipment.

1240 Kilocycles

WGGA—Henry Estes, Austin Dean and L. H. Christian, d/b as Gainesville Broadcasters, Gainesville, Ga.—Voluntary assignment of license to Blue Ridge Broadcasting Company.

1260 Kilocycles

KYA—Hearst Radio, Inc., San Francisco, Calif.—Assignment of license from Hearst Radio, Inc., to Palo Alto Radio Station, Inc. Amended: re officers of parent company (American Newspapers, Inc.)

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100) as modified, for installation of directional antenna for day and night use, and increase in power, requesting extension of completion date from 7-16-42 to 8-16-42.

1310 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—License to cover construction permit (B3-P-2641) as modified, for increase in night power, installation of directional antenna for night use, and move of transmitter.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Authority to determine operating power by direct measurement of antenna power.

1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Tex.—Modification of construction permit (B3-P-3011) as modified, which authorized installation of new transmitter, directional antenna for day and night use, change frequency, increase power, and move transmitter, requesting extension of completion on date from 7-10-42 to 9-10-42.

1330 Kilocycles

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—License to cover construction permit (B3-MP-1509) for installation of directional antenna for night use, and increase in power.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Authority to determine operating power by direct measurement of antenna power.

1390 Kilocycles

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Modification of construction permit (B5-P-3096, as modified, which authorized new equipment, increase in power, installation of directional antenna for night use, and move of transmitter) for extension of completion date from 7-12-42 to 10-12-42.

1420 Kilocycles

KCRA—Arkansas Broadcasting Co., Little Rock, Ark.—Extension of special service authorization to operate on **1010 kc.**, 5 KW night, 10 KW day, directional antenna night, using transmitter as authorized in construction permit (B3-P-3049 as modified) for the period 8-1-42 to 8-1-44.

1510 Kilocycles

KGA—Louis Wasmer, Spokane, Wash.—License to cover construction permit (B5-P-2602) as modified, for increase in power, installation of directional antenna for night use, installation of new transmitter, and move of transmitter and studio.

KGA—Louis Wasmer, Spokane, Wash.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATION

W63NY—Marcus Loew Booking Agency, New York, N. Y.—Modification of construction permit (B1-PH-3, as modified, which authorized new high frequency broadcast station) for extension of completion date only from 7-10-42 to 1-10-43.

TELEVISION APPLICATION

W9XCB—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-PVB-74) as modified, which authorized new experimental television station, for extension of completion date from 7-15-42 to 1-15-43.

MISCELLANEOUS APPLICATIONS

WAUT—Evansville on the Air, Inc., Portable-Mobile.—Modification of license for change in location of transmitter from Portable-Mobile, area of Evansville, Ind., to 2nd floor, 203 N. W. Fifth St., Evansville, Ind.

WEMU—The WGAR Broadcasting Co., Cleveland, Ohio.—License to cover construction permit (B2-PRE-414) which authorized a new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Koch Laboratories, Inc.—Charging false representations in the sale of medicinal preparations designated "Glyoxylide," "B-Q," and "Malonide Ketene Solution," a complaint has been issued against Koch Laboratories, Inc., and William F. Koch and Louis G. Koch, officers of the corporation, all of 8181 East Jefferson Ave., Detroit.

R. B. Semler, Inc.—A complaint has been issued charging that R. B. Semler, Inc., New Canaan, Conn., in connection with the sale of a hair tonic designated "Kreml," has violated Section 3 of the Clayton Act, which prohibits exclusive dealing agreements where the effect may be to substantially lessen competition or tend to create a monopoly. (4773)

D. K. Tuey—Alleging misrepresentation in the sale of Chinese herbs sold for medicinal purposes, a complaint has been issued against D. K. Tuey, 107½ South Broadway, Los Angeles. (4774)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Blank & Stoller Corp., formerly of 227 East 45th St., New York, and four individuals, three of whom were officers of the corporation, has been ordered to cease and desist from misrepresentations in the sale of photographic miniatures, also known as goldtone miniatures. (4523)

Lincoln Academy, Inc., trading as Preparatory Service Bureau, 43 Lincoln Park, Newark, N. J., formerly known as Metropolitan Training Academy, and Mr. & Mrs. K. Arnold Freedman, its officers, have been ordered to cease misrepresentations in the sale of correspondence courses intended to prepare students for Civil Service examinations. (4703)

National Press Photo Bureau, Inc.—An order to cease and desist from misrepresentation in the sale of portrait photographs has been issued against National Press Photo Bureau, Inc., and Kay Hart Studios, Inc., and their officers, Samuel F. and Clara L. Reese, all of 509 Fifth Ave., New York, and Bolivar Studios, Inc., formerly of the same address. (3898)

Novelty Sales Co., 806 Walnut St., Philadelphia, has been ordered to cease and desist from selling or otherwise disposing of merchandise by means of a game of chance or lottery scheme. (4039)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Beck Jewelry Enterprises, Inc., 126 East Berry St., Fort Wayne, Ind., which operates 29 retail stores in eight States, generally under the name "Beck Jewelry & Optical Co.," stipulated that it will discontinue certain representations in connection with the sale of its "Kant-Break" eyeglasses. (3493)

Cuban Cosmetic Co.—Alexander C. Brent, Jr., trading as Cuban Cosmetic Co., 5142 South Wabash Ave., Chicago, has entered into a stipulation to cease and desist from the use in advertising matter of any representation or statement, such as "Restores the hair to its natural color," which tends to convey to purchasers the impression that the preparation will restore gray hair to its natural color. (3494)

Gardner Nursery Co., Osage, Iowa, entered into a stipulation to cease and desist from making, by means of radio, catalog or other advertising, any deceptive or exaggerated statement which tends to mislead the public as to the size, quality or probable growth of so-called "trees" or other nursery stock sold by the respondent. The stipulation points out that "fine young shade trees" advertised by the respondent as averaging about a foot in length which would grow to a height of 14 feet in one year or 20 feet in three years consisted largely of shoots or cuttings so small that their development often required years of special care. (3492)

Royal Diamond Co., Jim the Diamond Man, and American Bible Club, C. E. Griffey, 769 Insurance Building, Omaha, Nebr., stipulated to cease certain representations in the sale of jewelry and publications. (02998)

Sarco Remedy Co., E. L. Bachman and V. E. Chambers, Sidney, Ohio, stipulated that in the sale of "Minton's Asthma Remedy" they will cease representing that the preparation will prevent, remedy or correct asthma or any underlying cause of it, or has therapeutic value in its treatment in excess of furnishing limited, temporary relief from paroxysms due to or associated with asthma. (02997)

Sears, Roebuck & Co., Chicago, stipulated to cease certain representations in the sale of "Dr. Overfield's Farm Mixture." The respondent agrees to cease advertising that this product can be depended on to insure health or growth of bone or body in pigs and that it will cure, remedy, prevent or control bull nose, necro or other similar diseases in pigs. The respondent further agrees to discontinue representing, through such statements as "worm remedy" or "will keep them free from worms," that the product is effective in the prevention of worm infestation in hogs, pigs, sheep or goats. (02996)

E. S. Wells Estate—George T. Wells, trading as E. S. Wells Estate, 706 Grand St., Jersey City, N. J., has entered into a stipulation to cease certain representations in the sale of a poison for rats and mice designated "Rough on Rats." (02995)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 26, July 3, 1942

RADIO DOES A JOB

Sometime ago, you were told to sell this war effort and sell it hard.

You're doing just that. And you're going to sell it even harder as time goes on.

You're doing a swell job. All of you. Let us hear from you as you do an even better one. We want to tell the other boys, and the whole world, about it.

For instance, take a look at what Glenn Snyder at WLS did for the salvage drive this week. We quote his wire.

> "As contribution to war salvage drive radio station WLS moving entire National Barn Dance show and broadcast with cast of 150 people from Eighth Street Theatre Chicago to Bloomington, Illinois, this Saturday night. Full four hour program and stage presentation including hour on NBC coast to coast network will be broadcast from there with admission requiring 100 pounds scrap metal or 50 pounds rubber for each ticket. Station paying all expenses and total proceeds from sale of scrap collected will be donated to local USO organization.
>
> "In addition prairie farmer WLS giving two day all expense July 4th trip to Chicago to entire family of person bringing in greatest amount scrap.
>
> "As of Thursday night 181 tons of metal and 9 tons of rubber already in with 4000 tickets distributed and necessitated moving wires, stage and microphone set ups already installed to larger building to accommodate crowds still bringing in scrap.
>
> "Interesting incident to date include case of one man bringing in 6000 pounds of scrap entitling him to 60 tickets but refusing to accept more than 2 needed and requests from 3 more towns asking for like plan to aid them in local drives."

Carl Loose, program manager at WPAR, Parkersburg, W. Va., doesn't have any big studio show to pack 'em in, but he didn't let them stop him from packing 'em in (with their rubber) anyway.

> "Being in the category of the small station, and being limited in really big stunt promotion," said Carl, "we looked around and grasped the old tried and true method of having a Scrap Rubber Theatre Matinee for the kiddies.
>
> "Every theatre in Parkersburg and one in Marietta, Ohio, participated. On a different day each week, they held a scrap rubber matinee. During the six consecutive days the youngsters turned in 2,972 pounds of rubber."

NAB Reports

THE NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

Sanders Bill Hearings

Uninterrupted by questions, Chairman Fly read 35 pages of prepared testimony at Tuesday's hearing on the Sanders Bill before the House Interstate Commerce Committee.

He dealt with the four matters which the bill would require the FCC to study and report to Congress on: (1) network broadcasting, (2) network licensing, (3) newspaper ownership, and (4) clear channels.

As to network broadcasting, Mr. Fly explained at great length and defended the network regulations now under fire in the courts. He indicated that he felt this matter had been thoroughly covered by the Commission and that he should come to Congress for legislative help only if the courts outlawed the challenged regulations.

Network licensing presented a complex problem which would require much study, Mr. Fly stated. He was of the opinion this should be deferred because (1) the FCC was too busy with its war work and (2) prospective developments in FM and television might change the whole picture.

As to newspaper ownership, Mr. Fly said the FCC already had undertaken a study and would report as promptly as possible. He failed to say to whom the FCC would report.

As to clear channels, he suggested that the committee summon E. K. Jett, the FCC's chief engineer, because "basically the clear channel problem is an engineering problem."

On Wednesday, Mr. Fly was questioned for nearly two hours by committee members.

Chairman Sanders was especially insistent that Mr. Fly express his views on newspaper ownership and the power of the FCC to do anything about it. But the chairman refused to commit himself, insisting that the whole matter was still under study.

Mr. Sanders. Do you conceive that the Commission has the power to refuse licenses to a newspaper-owned radio station?

Commissioner Fly. We have formed no conclusion on that subject. That is one of the subjects which this bill calls for study on and we have been engaged in that study for some months, and have taken extensive testimony. The record has not been closed on it yet. We are making a very extensive study on that subject, and in the course of a pretty short time, why, the Committee may have our conclusions on it—the result of the investigation.

Mr. Sanders. Well, do you think the question of whether you have the power or not depends upon facts established or upon the wording of the statute under which you operate?

Commissioner Fly. Well, statutes do not operate in a vacuum, sir. Statutes operate on given sets of facts.

Mr. Sanders. You think then that the statute means one thing today and can mean something else tomorrow, if the facts change?

Commissioner Fly. Why, of course it does. Due process of law means one thing in one case, that is, you just cannot say due process of law and answer the question. The whole answer to the question as to whether you have due process of law depends upon facts, facts, facts, facts; upon the reasonableness of the particular conduct of the tryer or whatever else is at issue; the reasonableness of the particular statute, in the light of the facts.

Mr. Sanders. Your view of the power of your Commission to deny radio licenses to newspapers then would depend not upon whether Congress had granted that power under the language, but whether the facts warranted it?

Commissioner Fly. I did not say that; I did not say that. I think that the question as to whether there is any power at all on the subject is something that might well have to be determined independently of the facts; but it might well be that the determination of what should be done under the public interest concept would depend upon the factual conclusions. Public interest, you know, does not define itself. Somebody has got to give it a definition by practical application, case by case. You have not spelled it out in the statute. You cannot spell it out in the statute. Yet, I do not think you want us to sit down there and decide public interest without any relation to the facts. That would not make sense.

Mr. Sanders. Well, you are a lawyer. You are on the Commission, and you are presumed to know the facts as they have been established to date.

Is it your view as of this moment that the Commission does have or does not have the power to bar newspapers from owning radio stations?

Commissioner Fly. I am not going to form any conclusion on that until the Commission arrives at a conclusion. I do not think that you want to pull a judge off of the bench in the middle of a proceeding and demand that he tell you what his judgment is going to be. I do not think you want to do that, Mr. Sanders.

Mr. Sanders. No, I do not want to do that.

Commissioner Fly. I want to tell you frankly, I do not know what my own personal judgment will be. Frankly, I do not.

Mr. Sanders. I do think that the members of this committee have a right to ask the Chairman of the Federal Communications Commission whether you believe that Congress has already granted you that power or not, and you decline to answer.

Commissioner Fly. I decline to answer, simply because I have not completed a study on the subject. I have not had a comprehensive report from the counsel on that. I have not had findings of fact.

Mr. Sanders. You take the view then that the law depends upon the facts?

Commissioner Fly. We have been over that, sir.

Mr. Sanders. Yes, but I am coming back to it.

Commissioner Fly. I think the application of the law in many cases must depend upon the facts. The sheer question as to whether the Commission has any power at all, in that situation, may be purely a legal question; as I indicated before. I do not know. But over on the other hand, there may be the power there under the public interest concept to make distinction in the terms of the public interest to be served.

If you want the legal answers to that, sir, I really think it is, that it is pretty nearly purely a question of law then, as to whether or not, assuming that the Commission may have the power, then it may very well depend upon the facts developed in a thoroughgoing study as to whether we are justified in applying the power in that situation.

Mr. Sanders. As a matter of fact, is not your Commission refusing to grant applications to newspaper applicants?

Commissioner Fly. Not at all.

Mr. Sanders. How many newspaper applicants have been refused since you started this study?

Commissioner Fly. None, sir.

Mr. Sanders. Have any of them been granted?

Commissioner Fly. No.

Mr. Sanders. Have any applied?

Commissioner Fly. The thing that we have done there, sir, is to hold those cases in abeyance, pending this study. We had, as I stated yesterday, we had a large number of those cases that came in not merely in the standard broadcasting field, but particularly in the frequency modulation field, which was just opening up, and there we were faced with a serious problem which this Congress had debated through the years, and at times in a very critical fashion, and we determined before we moved one way or the other on those applications, that we ought to have these studies.

Mr. Sanders. So as a matter of fact, you are applying the rule before you come to a conclusion as to whether you have the power to do it or not?

Commissioner Fly. What is the point in making a study to determine what you should or ought to do with applications that are before you and going ahead and disposing of the applications before or prior to the study?

Mr. Sanders. Well, there is no limit, of course, to that method, is there?

Commissioner Fly. Why I would assume there is a limit. I would assume that a party who feels himself aggrieved by having his case postponed during the study could or might mandamus the Commission to require a decision. I do not know whether he could or not. That is a legal question which I have not studied. But, I think it is quite conceivable.

Mr. Sanders. Do you or do you not believe that this is a fundamental question, the right of the Commission to say, arbitrarily—I use the word "arbitrarily" in the legal sense, and not in any other.

Commissioner Fly. Yes.

Mr. Sanders. Just to say on its own motion that because a man is in a certain business, otherwise legitimate, that he cannot have a radio station. Do you or do you not believe that raises a question that is fundamental?

Commissioner Fly. I think that is a significant question.

Mr. Sanders. Well, do you or do you not believe that it might be better to have the Congress determine that issue or to have the Commission determine that issue?

Commissioner Fly. I really, certainly, have no objection to Congress expressing itself on that subject if it cares to, explicitly, and, as a matter of fact, most of the Congressional utterances on the subject have been critical of the Commission for failure of the Commission to do something about it; but if the Congress wants to change its line of approach and do something about it, why, I would certainly raise no question as to the propriety of that approach.

Mr. Brown. When do you expect the Commission to reach a definite opinion on this matter?

Commissioner Fly. Well, I should imagine, within a few months the Commission will have disposed of it. As to whether it will come out with a definite program in terms of decision on the subject, I do not know. It may well be that the Commission will simply leave the matter up to you gentlemen and say, "Here are our studies." And, it is a serious question. Some questions have been raised as to the legal authority, and Mr. Sanders suggests, it is a significant matter, and it may well be that we will put it right in your laps.

Mr. Brown. When do you think we may have the benefit of your studied advice and convictions on that matter?

Commissioner Fly. I said within a few months.

Mr. Brown. I assume that will be the report of the Commission?

Commissioner Fly. I assumed that that was what you meant, the Commission.

Mr. Brown. Until that time the Commission will take no action until it is presented to Congress? Or, is your thought that the Commission will take no further action?

Commissioner Fly. The Commissioners have just not determined what they will do, sir. It has made no determination.

Mr. Brown. In other words, the Commission may decide to bar newspaper ownership?

Commissioner Fly. That is one conceivable result.

Mr. Brown. Or may bring the matter up to Congress to pass upon.

Commissioner Fly. That is right.

Mr. Brown. That is, if Congress does not enact legislation prior to that time.

Commissioner Fly. That is right.

Mr. Brown. I think that is all.

Mr. Sanders. Mr. Chairman——

The Chairman. Mr. Sanders.

Mr. Sanders. Mr. Brown, the questions that I propounded to Mr. Fly in connection with the question you asked were to get Mr. Fly's opinion on whether or not the power to bar newspapers was already in the Communications Act.

Mr. Brown. You mean the legal power.

Mr. Sanders. Yes, and those are the questions I asked him.

Mr. Brown. That is what I wanted to know.

Mr. Fly was questioned at great length by Representative Youngdahl about the "monopoly" rules. At one point Mr. Youngdahl remarked:

Mr. Youngdahl. I have been very much interested in the caliber of (the radio) men who have testified at these hearings. In the first place they seem to be very anxious to cooperate in our war effort and I think they have done a good job.

In the second place they seem to have the public interest in mind, and some of them have testified that the application of these so-called network rules will create a disturbance and confusion.

Commissioner Fly. That is a lot of moonshine.

At the outset of the Wednesday hearing, Mr. Sanders discussed with the Chairman his previous day's testimony that a great many listeners were deprived of the privilege of hearing Lowell Thomas because Mr. Thomas' sponsor chose to buy only 25 outlets. This situation, Mr. Fly had said, was one of those which would have to be examined in connection with the licensing of networks. The following is the testimony:

"Mr. Sanders. Mr. Chairman.

"The Chairman. Mr. Sanders.

"Mr. Sanders. Mr. Fly, you made reference to Mr. Lowell Thomas, but I did not quite understand it. Of course you were using his name merely by way of illustration of the point you were seeking to establish; but it was something like this, that if Mr. Lowell Thomas was broadcasting, his broadcast was limited, I think you said, to around 20 stations, or something like that.

"Commissioner Fly. Twenty-five, I believe.

"Mr. Sanders. And you offered the thought that it would be of benefit to the public if his broadcast could be heard by more than the limited number of stations made available in that particular contract.

"Commissioner Fly. The thing that I suggested there, Mr. Sanders—of course I assumed that Lowell Thomas' broadcasts were meritorious—but I was simply trying to make the point that the stations throughout the country ought to have the opportunity of taking that broadcast and a study of the network situation might, for example, explore the question as to how those should be made available to the listeners throughout the country. As it is, that particular decision is made, in the main, by the advertiser who wants only 25 stations; who wants to take it to only a small portion of the people, and, of course, there are added reasons under the present existing practices of the networks why the people could not get Lowell Thomas in different cities due to exclusivity and option clause provisions which would prevent it from going to some of the cities.

"Mr. Sanders. Well, the company for which Lowell Thomas broadcasts, of course, is a private enterprise, and they are no doubt looking at the profit motive.

"Do you not think that that question that you raised goes to the profit system itself? How would you pay for Lowell Thomas?

"Commissioner Fly. I have not solved it, sir. I just cited that as one of the problems that you would want to consider in connection with this network licensing situation.

"In other words, I am suggesting there is a problem to be studied rather than to present to you an arbitrary answer to the question.

"Mr. Sanders. I see.

"Commissioner Fly. I do think that any system under which it is possible to limit Lowell Thomas to 25 stations is open, on the face of it, to some question, because again we come back to the principle that this is a public business. We are talking in terms of public service, and the service to 130 million listeners, and I think that is entitled to some emphasis even in the face of the fact that at the outset here you have got a commercial sponsor.

"In other words, you might well consider, after studying the thing, that you would want to override a private interest in the interest of 130 million listeners. I don't know.

"Mr. Sanders. As I take it then you merely raised the question without offering a solution?

"Commissioner Fly. Yes, sir. I do not say that we ought to force the Sun Oil or the network to put Lowell Thomas in all of the cities. I do think it is a misfortune that most of the cities are unable to get him."

Later in the morning, Mr. Sanders queried the Chairman with reference to the grant by the Commission of experimental or temporary licenses. Finally Mr. Sanders said:

"You have Station KOB that has had this special authorization for two years, I believe you say, and under the terms of the license that you have given it, or authorization, it has absolutely no legal standing in court, and the legal principle that occurs to me is that if you can do it in one case you can do it in two cases, and you can do it in fifty cases, or one hundred cases. Therefore——

"Commissioner Fly. Let me just say this, Mr. Sanders——

"Mr. Sanders (continuing). Let me finish my statement and then you can answer.

"Commissioner Fly. Yes, sir.

"Mr. Sanders. The question is not whether you are abusing this particular power in this particular instance, but the importance of the question from the standpoint of a Member of Congress is whether it is desirable for you to have that in any case, or if you should have it in any case, whether Congress should not strictly define the time and conditions of your entry, purely from the legal principles involved."

Speaking upon the subject of the length of licenses, Mr. Fly reiterated a statement that he had made earlier in his testimony that he believed legislation should include specific wording with reference to the term of the license. Mr. Sanders said:

"Mr. Sanders. You agreed with Major Bulwinkle the other day that you would meet with him and try to work out an amendment that might make the holders of licenses more permanent. I believe that was what you and Major Bulwinkle decided, was it not, Major?

"Mr. Bulwinkle. Yes.

"Commissioner Fly. That is right."

Mr. Sanders referred to a letter which had been sent to Chairman Lea of the House Committee on Interstate and Foreign Commerce purporting to be an official communication from the Commission issued last September and including some comments with regard to the so-called Sanders Bill. Mr. Sanders said:

"Was that an official communication of the Communications Commission, or your individual report?

"Commissioner Fly. This was the report of the Commission and it was cleared through the Bureau of the Budget.

"Mr. Sanders. On what date was it that the Commission as a whole considered this report?

"Commissioner Fly. I could not say, sir.

"Mr. Sanders. Did you ever have a meeting of the Commission at which this report was considered by the Commission?

"Commissioner Fly. I have no doubt that this was presented to the Commission about the time of the letter, perhaps around the first of August.

"Mr. Sanders. Would you or would you not state that it was taken up at an open meeting of the Commission, a regular meeting of the Commission?

"Commissioner Fly. I do not know, sir. A thing like this is one of a dozen things that will come up in the course of the meetings, and I just do not recall precisely how it came up.

"Mr. Sanders. You do not recall whether or not you ever discussed the Sanders bill in an open meeting of the Commission?

"Commissioner Fly. Oh, yes, we have discussed it a number of times.

"Mr. Sanders. Was this report ever approved by the Commission?

"Commissioner Fly. I have told you what I thought the facts were. I think that the report was approved both by the Commission and by the Director of the Budget.

"Mr. Sanders. Will you state what members of the Commission were present.

"Commissioner Fly. No, I cannot. I could not possibly tell you.

"Mr. Sanders. Mr. Fly, is it not a fact that this report was prepared by you, under your direction, and then approved by other members individually at different times, and that it was never considered at a meeting of the Commission called for that purpose.

"Commissioner Fly. That is conceivable, though I am not changing my testimony, that we have had general discussions of the bill; but it is conceivable that at the time this was prepared it was circulated and approved by individual commissioners, and that is not at all unlikely. I just do not know.

"Mr. Sanders. Do you think that is a desirable procedure? In other words, the other members of the Commission then had the alternative of vetoing what you had already proposed, or agreeing to it."

The report of the Committee on Censorship Organization was the subject of a lengthy exchange between Congressman Sanders and Mr. Fly. It follows:

"Mr. Sanders. Are you familiar with the report of December 12, 1941, of a Committee on Censorship Organization, one of which was Mr. Jett, Mr. E. K. Jett, Chief Engineers and Mr. Thomas Harris, Assistant General Counsel representing the Commission?

"Commissioner Fly. That is on the——

"Mr. Sanders. Censorship organization.

"Commissioner Fly. That is on the organization not by the Commission, but by the administration of the Office of Censorship.

"Mr. Sanders. Reporting December 12, 1941, Committee on Censorship, of which Mr. Jett and Mr. Harrison were members?

"Commissioner Fly. Yes. I, of course, do not have the records before me; but I am roughly familiar with that. At that time the war had been on just a few days before, and the Administration had the problem immediately of devising a scheme of censorship, and at that time all departments having anything to do with communications and information, and that sort of thing, at least in any broad sense, particularly as an example, the Post Office Department, which had one line of communications and our people, who had other lines and the Department of Justice and the Army and the Navy, of course—there was a general Interdepartmental study of the censorship problem with a view to recommending to the President, as I recall, a system of censorship to be set up by the Government, and we contributed what we could to that study. I think Mr. Jett, our Chief Engineer attended a number of conferences, interdepartmental conferences on that subject, and Mr. Plotkin of our law staff also attended a number of them, and we made, and are continuing to make, such contributions to that work as are appropriate.

"For example, when the problems in connection with the maintenance of certain radio teletype circuits, and their broadcasting, the Commission finds it necessary to close the circuits to avoid the problem of censorship, and also to make the frequency available for war purposes. That is just a simple example. And, we keep the Censor advised of the state of censorship and the state of communications throughout the world.

"Mr. Sanders. In that report occurs the following language:

> 'Finally, the Commission, under the Act, has the duty of licensing all radio stations in the public interest, convenience and necessity. The exercise of such licensing power may possibly have an important part in controlling the communications of facts and opinion. Renewals may be denied or revocations ordered where stations have departed from legal requirements. The Commission's licensing authority also extends to radio operators, and in this regard too, it may serve as an aid in carrying out control programs.'

"You agree with that statement?

"Commissioner Fly. I agree with that statement. You understand there we are dealing with proposed legislation.

"Mr. Sanders. No; this is a statement of the powers that you already have.

"Commissioner Fly. Well, the Commission——

"Mr. Sanders (continuing). In the Commission under the Act—referring to the Communications Act.

"Commissioner Fly. Well, let me give you an example of the sort of thing that might happen there.

"Suppose that the radio station engaged in subversive broadcasting. There is no question about its being unlawful and subversive and contrary to the laws set up in this field. There is not doubt, in my mind, but what a license of the station could be revoked, and should be revoked, just as we would for violation of any other law—that is, any other important law.

"Mr. Sanders. This committee has handled a good many emergency laws. In every one of them is contained a provision that the power so granted to the executive would terminate either upon the termination of the emergency or within a stipulated time thereafter.

"This that I am quoting, however, is not a grant of emergency power. It is a statement of powers that the Commission is presumed to have under the Federal Communications Act.

"Commissioner Fly. Yes.

"Mr. Sanders. Not in war time or in peace time, but I am asking whether you believe that the Commission has that power.

"Commissioner Fly. Why, not at all in peace time.

"Mr. Sanders. I am not referring to any specific time——

"Commissioner Fly (interposing). But, let me say——

"Mr. Sanders. Wait a minute, and let me state the question.

"Commissioner Fly (interposing). Let us get this clear. In peace time, I would not suggest that, but in war time operations of the Commission.

"Mr. Sanders. Under the Federal Communications Act.

"Mr. Bulwinkle. He is talking about the proposition that you asked him about.

"Mr. Sanders. You are talking about the act that was passed in 1934.

"Commissioner Fly. Yes. The act was passed then, but I am talking about an application of that act in time of war, and I say that basically it is a pretty serious problem that when any station violates some fundamental law like pursuing a persistent line of subversive conduct in violation of the laws that you gentlemen have made, no matter when this Act was passed, we can refuse to continue to license that operation and refuse to let it continue carrying on this subversive conduct. Well now, to suggest we could do that in time of peace, I think is entirely out of the question because you do not have that problem. You do not have the censorship problem. You do not have the subversive conduct.

"I would say that at any time, in time of peace, when a station is utilized for unlawful purposes—let us assume that a station is utilized to guide the operation of a gang of outlaws in peacetime, of course, we could take it off of the air in peace time; but the reason why this question as to what they put out over the air can be given attention here is because it is war time.

"Mr. Sanders. Do you not think it would be more desirable to have that grant of power—whatever power was necessary—designed to operate only in war time rather than to put a construction upon the peace time act that you already have such power and leave it to your Commission as to when the emergency exists? Do you not think that rather probable?

"Commissioner Fly. I see no objection to that, sir; but again I think we are just trying to find bugaboos here, because we are acting on and operating on this thing from day to day, and we are operating under war conditions, and I am happy to tell you that no question has arisen yet as to the license of any station, because of its war time operation, and I just think we are looking for things to worry about when we have got to take the time in a period of war to worry about the framing of legislation of that sort."

After Mr. Fly had referred to the "vast and thorough-going record" on the chain broadcasting situation and had referred to the amount of work which had been done by the Commission on the newspaper situation, he told the Committee that about 90% of the work of the Commission had to do with the war effort and that it was only at the greatest sacrifice that we spend all of the time we do saying that he personally did not mind the sacrifice. He said:

"I am perfectly happy to stay here as long as there is any demand on the part of this Congress, on this Commission about any investigation or anything of that sort, I want to stay right here with this Committee and give you everything that you want; but I do not want, with all deference, to face the problem as to whether war work shall be broken down by an over-extensive consideration of any of these problems that are not pressing upon us.

"Mr. Sanders. That is all.

"Mr. Youngdahl. Mr. Chairman.

"The Chairman. Mr. Youngdahl.

"Mr. Youngdahl. Mr. Fly, I am very much interested in the last statement of yours, and I think that you are absolutely correct.

"In view of that statement, do you not think that it might be advisable to withhold the application of the so-called network rules until the war is over?

"Commissioner Fly. The Commission has completed all of its work on that problem, sir.

"Mr. Youngdahl. On the other hand, there is an interest that Congress should look into so far as the public is concerned. Is not that correct?

"Commissioner Fly. Well, I do not doubt that. Certainly Congress ought to, if it wants to, make a thorough study of that. We have submitted our report and you can have the entire record if you want it.

"I should think that probably you would be satisfied if you would make a thorough study of the printed report, which is in one small volume before you.

"Mr. Youngdahl. I have been very much interested in the caliber of the radio men who have testified at these hearings. In the first place they seem to be very anxious to cooperate in our war effort and I think they have done a good job.

"In the second place they seem to have the public interest in mind, and some of them have testified that the application of these so-called network rules will create a disturbance and confusion.

"Commissioner Fly. That is a lot of moonshine."

Sales

WAR-TIME ADVERTISING JOBS

Distributed at the AFA convention in New York last week was this compilation of what advertising can do in war-time:

It can:

(1) Help in the education and training of customers' personnel.

(2) Help clear up misunderstandings among the users of your product.

(3) Help industry with its ever-growing maintenance problem.

(4) Speed technical information (or offer technical service) to the men directly engaged in war production.

(5) Help retailers explain shortages and substitutions . . . help them prevent hoarding.

(6) Help dealers promote conservation.

(7) Keep industry up to date on new products and developments.

(8) Keep industry advised of auxiliary attachments, improvements, better methods, new ideas for stepping up production on already-installed equipment.

(9) Help retailers build up the service end of their business.

(10) Help customers get started on sound planning for the future.

(11) Help develop a better understanding of the lesser-known items in your line.

(12) Help customers get the most out of what they *can* get.

(13) Explain to customers what your distributors can do to help them.

(14) Explain any change in price policy.

(15) Help dealers select added lines.

(16) Get your story into defense plants from which salesmen are barred.

(17) Get your story into new companies which are unknown to you because of war-time censorship.

(18) Help swing demand from scarce "special" items to more plentiful or standard items.

(19) Help get war contracts.

(20) Help reduce confusion and delays due to incorrect specification.

(21) Help carry some of the load of over-burdened sales-service departments.

(22) Transmit any helpful information from where it is to where it is needed; *quickly, accurately,* and *economically.*

HAYES NAMED TO SALES GROUP

Arthur Hull Hayes, general manager of WABC, has been reappointed to the NAB Sales Managers Executive committee as the Columbia representative.

Personnel of the committee is now complete, with John M. Outler, Jr., WSB, as chairman; Frank R. Bowes, WBZ, representing large stations; William Malo, WDRC, representing medium stations; Dietrich Dirks, KTRI, representing small stations; Don Davis, WHB, representing Mutual-affiliated stations, and Hayes representing CBS.

MANUAL HELPS GET BUSINESS

Sales managers periodically report how the NAB "Manual of Radio Advertising" can be effectively used in selling radio as a basic advertising medium. They declare that with the fundamentals thus established in the advertiser's mind, it is relatively easier to interpret the station's local story.

A good example is this letter just received from Norman Burdick, sales manager of WJTN, 250-watt station at Jamestown, N. Y.:

"When I first read the 'Manual of Radio Advertising' some months ago, it not only gave me an opportunity to brush up on some important radio material but also made it possible for me to learn a great deal. I was very thankful for having a copy.

"But now I can really say 'Thank you!' for the excellent material contained in the NAB Manual that you prepared. Here's what happened: For several years, one of the largest grocery store chains in our area (Quality Cash Stores . . . 69 retail outlets) could not be persuaded to try radio advertising. Everything we could possibly think of was used. We bombarded them with literature showing results from radio; we presented them with innumerable program and spot announcement ideas; we ran auditions; we switched salesmen on the account. But they would not give us a trial. Finally, a short time ago, I gave their Advertising Manager a copy of your Manual and made him promise to take it home and study it carefully.

"The account has just signed their radio spot contract for fifteen spots a week for thirteen weeks, and another advertiser has started to find out that radio doesn't cost—it pays.

"I know your Manual of Radio Advertising made it possible for us to get this account on the air, so again we say—many thanks for the splendid job you have done!"

TELLS LOCAL STORY

WATN, another 250-watt station, in Watertown, N. Y., faced with particularly strong newspaper competition, has issued a powerful local promotion piece entitled "What Price Radio?" based on the formula in the chapter of the same title in the NAB "Manual of Radio Advertising."

Taking excerpts from the Manual to establish the basic points, the station developed its own comparative cost figures in relation to its competitive newspaper, and made the story applicable to local, regional or national advertisers by breaking down its coverage to show special comparative figures for the city only, for the county, and for its entire primary area.

Concisely presented in a 4-page folder, the piece should be effective in developing radio prospects and in giving strong support to radio sales presentations.

UTILITIES URGED TO ADVERTISE

Cessation of public utility advertising for the duration of the war would be a "deliberate sabotage" of an investment built up during normal times, Davis M. DeBard, vice president of Stone & Webster Service Corp., declared June 23 at a meeting of the Public Utilities Advertising Association during the AFA convention in New York.

"Any utility company which crawls into its shell and ceases to interpret itself to the public during a period of war is inviting the inevitable—serious impairment of prestige, political attacks, and all the other ills associated with a policy of silence" Mr. DeBard declared.

Recently published data indicate that companies which dropped advertising during World War I, he said, "suffered severely" in the post-war period and some nationally known companies passed out of existence.

While urging continued advertising, Mr. DeBard warned, however, that economical coverage is the first consideration. "Any form of advertising which cannot justify itself from this point of view will tend to bring on the utility criticism of customers who will claim that money is being spent recklessly," he pointed out.

W. J. Weir, vice-president of Lord & Thomas, speaking at the same session, charged that advertising is not doing the job it should be doing at present "because of too much fear of the present and of the future."

Mr. Weir urged a continuance of advertising to the public as the only way to maintain good will. "Advertising is business' last point of contact with the American consuming public," he continued. "It's the last means it has for preserving its franchise as a free operating enterprise. And the longer it hesitates, the longer it puts off a resumption of its curtailed advertising, the more precarious becomes its position—the more it invites the very thing it fears."

Many advertisers have lost courage, he contended, and because "they can't see the possibility of selling a can of beans tomorrow morning, are simply twiddling their thumbs instead of continuing to tickle the public's curiosity and desire."

Per-Inquiry and Free Time—Ho-Hum!

Without comment, the following chisels reported by member stations the past week are offered for your edification:

Stockton, West, Burkhart, Inc., Cincinnati, want free time on women's programs to promote Clopay window shades. All in the interests of national defense, of course.

J. Walter Thompson's Press Bureau, New York, also seeks free time on women's programs to promote Cheeks cosmetics. And they ask for a special theme song to be played, too.

Ruth Matthews of the **Ladies' Home Journal** also seeks free time on women's programs to promote an article on cosmetics for stockingless legs, carried in the July issue of the *Journal.*

Forjoe & Co., New York, want P-I deals on a photo-finishing proposition.

Manufacturers Radio Service, Los Angeles, want P-I deals for a shaving liquid called Rev.

D. S. Manson & Associates, Minneapolis, want P-I deals for World Bible Distributors.

National Needlecraft Bureau, Inc., New York, ask for free time on women's programs to promote needlework, which in turn promotes the products of its members.

All have been invited by the NAB to use radio properly.

To the Services

SKAFF, WMBD, IN MARINES

Vincent Lloyd Skaff, newscaster for station WMBD, Peoria, Ill., is a member of Uncle Sam's fighting forces. He is a member of the U. S. Marine Corps Reserve and is now stationed at San Diego, Calif., where he is receiving basic training.

MORE WCAU STAFF IN SERVICE

Three more members of the WCAU staff have joined the armed forces, bringing the station's total to eighteen.

Joseph T. Connolly, sales promotion manager, has been commissioned a Lieutenant (jg) in the U. S. Navy and is training at Harvard.

Frank Shannon, for the past fourteen years a member of the engineering staff, is to be commissioned Captain in the U. S. Army Air Force. He will leave shortly for Salt Lake City.

J. R. Troxel, also a member of the WCAU engineering staff, enlisted in the Army Signal Corps and is now taking a training course at Fort Monmouth.

Priorities

Stations are advised to maintain their spare inventory at 100 per cent. The minute inventory gets into the danger zone, below spare inventory minimum, begin filing PD-1A forms with WPB.

MAKE THIS INCLUSION

To speed delivery of form PD-1A to proper persons at WPB, broadcasters are urged to type "Classification 11.20" at the top of the PD-1A form. Then underscore with a colored pencil.

USE FREE SWAP SERVICE

Make use of NAB's free swap service to stretch out supplies of parts and equipment.

INCLUDE LEGEND ON ORDERS

Because recording records are an operating supply of material, manufacturers of records have sought NAB cooperation in asking stations to write in the approved legend on their orders for recording blanks which they give to jobbers and manufacturers.

This legend reads: "Material for Maintenance, Repair, or Operating Supplies—
Rating A-3 under Preference Rating Order P-129 with the terms
of which I am familiar.
(Name of Operator or Supplier).
(Signature of Designated Official)".

Only in this way can manufacturers guard against a future disruptive shock in the flow of the finished product to broadcast stations.

Victory Programs

WBEN—BUFFALO

In Buffalo, station WBEN has a program, "Production for Victory," 10:30-11:00 p. m., that indicates careful planning to emphasize the victory through production theme.

It's an entertaining show without "preaching" and uses Bob Armstrong's orchestra, singers, actors, talent from other fields and war workers selected from Buffalo plants.

It might be classed as a potpourri since examination of a recent script indicated there were no less than five subjects carried. These included: sugar rationing; "I'm An American Day"; a well done study of "one of the lower forms of life known as the 'War Bore' who sees nothing but the pessimistic gloomy side"; women war workers from Bell Aircraft who work on Airacobras and blood donations for the Red Cross.

After opening fanfare and a short orchestra number, a voice set the program with:

"Buckle down, you Yankee, buckle down!
You can win, you Yankee, if you knuckle down!
Buy another bond,
Watch the boys respond,
Way across the pond,
They'll have to beat 'em down.
Spend your dough, you Yankee, spend your dough!
We can win, you Yankee, if you're on the go!
Give 'em planes and tanks
So the fightin' Yanks
Who deserve our thanks
Will have a chance against the foe!

KHQ-KGA—SPOKANE

Harold Zent, director of public relations, KHQ-KGA, Spokane, Wash., arranged for an impressive and solemn ceremony for the mass induction of bluejackets on Sunday, June 7.

Having worked very closely with the Navy recruiting office, by virtue of his three-a-week Navy enlistment program, he was able to bring a large number of new recruits to the ceremony. It was conducted in the shadow of a monument that stands in honor of Ensign Monaghan who lost his life in Samoa, in line of duty, protecting his superior officer. The locale of the program contributed much to the "feel" of the event, both for listening and visible audience. The three-a-week broadcast which Mr. Zent has conducted since Pearl Harbor, has added a great deal to the recruiting efforts of the Navy in the Spokane territory, according to the Spokane naval recruiting chief.

Radio Training Courses

RADIO TRAINING IN OREGON

In another week the first section of the NAB-ESMDT radio technician training course will be over, according to Frank H. Loggan, manager, KBND, Bend, Oregon. He reported that the average attendance of 35 was genuinely interested, studied hard and attended regularly. One man, with a little previous experience, has already secured his class 2 radiotelephone license. Six others are receiving extra instruction, gratis, from Robert Pickinson, instructor, in order to qualify them to take the FCC examination for a license within the next 15 days. Other members of the class, he said, will have a very good basic training in radio and can progress rapidly in it.

Fifty other people are already registered for new sections and a great many others, who are particularly well qualified, would like to enroll, Mr. Loggan said. The number of men enrolled will ultimately be decided by the number of sections approved in Washington.

Oregon State college has been very helpful in arranging and supervising the courses. R. H. Dearborn, dean of engineering, Oregon State College, heads the radio educational activities within the state.

Utah State College

Utah State Agricultural College, which has been teaching radio technology for 20 years, is engaged in teaching radio in three categories. Part I of the "Fundamentals of Radio" has been in progress for some months and Part II will get started during the first week of July, according to George D. Clyde, Dean, School of Engineering, Industries & Trades, Utah State.

In addition, Dean Clyde is supervising the radio instruction of 300 Navy enlisted men and approximately 100 U. S. Army Signal Corps men.

Manhattan College

Brother Amandus Leo, dean of engineering, Manhattan College, New York City, is maintaining a strong interest in the training of radio technicians. Two new classes of Part II, "Fundamentals of Radio" are to be started. In addition, Brother Leo has arranged to conduct classes in "radio physics" for high school teachers, so that when these men return to school, in September, they will have a firm foundation to stress that part of physics which deals with radio.

A new section, "Fundamentals of Radio" Part II, has been started in which all registrants are members of the Enlisted Reserve Corps (Signal Corps). Because of expected demand there will be four or more additional such sections.

Oswego State Teachers

Graduates of the NAB-ESMDT Radio Training Program, conducted by Oswego State Teachers College, Oswego, N. Y., will be ready for radio work in another 16 weeks.

Part II and other beginning classes are scheduled to start at Oswego on July 6.

University of Wisconsin

Between 450 and 500 students have finished section 1 of the two part Radio Technician Training course, sponsored by NAB-ESMDT of the U. S. Office of Education, according to word just received from H. E. Pulver, director, ESMDT classes at the University of Wisconsin. He also reports that the Signal Corps officer of the sixth corps area, Chicago, has already taken fairly large numbers of students and several of the instructors. Eight more sections, in addition to the 26 started in March, were begun during the last of May and the first of June.

Proposals for some 14 sections of part II of the radio course are awaiting the approval of the ESMDT director, Washington. The University plans to organize the new sections during the first week of July.

Industry Representative is Edwin C. Allen, WIBA, Madison; F. Ellis Johnson, dean of Engineering, University of Wisconsin, Madison, is State Coordinator.

More Training Begins at Syracuse U

The U. S. Army Signal Corps has begun long delayed plans for speeding radio technician training. Start was made at an overflow mass meeting of 500 men in the Onondaga Hotel ballroom, Syracuse, on June 17. It was arranged by Col. Harry C. Wilder, WSYR, New York industry representative of the radio training program. The initial meeting proved conclusively that the interest of the men was at a high pitch even before Lieut. Harry Ross told his listeners that the need was "very urgent".

A necessary time lag followed the mass meeting to permit Syracuse University to arrange facilities for handling the large number of men who signed up. This work is in addition to the multi-section participation in the ESMDT-NAB program.

Academy to Train Radiomen

NAB has supplied radio technician training course material to The Lincoln Academy, Newark, N. J. K. Arnold Freedman, of the Academy's executive office, wrote on July 1:

"I am in receipt of the course material mailed to the Academy on June 27, for which I would like to express my sincere appreciation. I feel sure that this material will be very helpful and hope that the Academy can be of use in alleviating the pressing need for properly trained radio technicians."

STILL GOING STRONG

Radio is credited by the U. S. Civil Service Commission for its outstanding contribution for assistance in recruiting.

On June 20, the Commission announced that placements alone in the War and Navy Departments throughout the United States totaled 1,659,913. This report must certainly be emblazoned upon the history books when the history of this war is written. Radio has served the Commission, continuously, for two years. Continued help of the broadcasters will make certain that the necessary new workers will be found to complete the production program. NAB began cooperating with Civil Service in July 1940.

WQAM ISSUES SERVICE BOOK

F. W. Borton, president of WQAM, Miami, Fla., has just issued the WQAM brochure of public service for the year 1941. The frontis reads:

"In order that our practice of publishing these 'Record of Service' brochures may not be interrupted, yet still conform with the universal practice of conservation during time of war, we are reducing by one-half the size of the 'Record' for 1941.

"On the pages which follow we submit only the skeleton structure of the service we have been privileged to render in our community.

"This material is taken from the authentic WQAM Station logs and we believe that it represents a fair picture of the station's worth to the community to which it has belonged for 20 years."

NEW STATION

Station WALL, Middletown, N. Y., is planning to get on the air approximately July 12. Fred Germain, Jr., program director, has about completed initial plans for his war effort broadcast.

WATCH "INVASION"

Our commentators sometimes refer to the forthcoming second front against the Axis as an "invasion" of France, Belgium or other conquered countries. "Invasion" denotes a war-like grab for territory rather than the freeing of conquered peoples in conquered lands. Let's watch its use.

WAR DAMAGE INSURANCE

On July 1 the free War Damage Protection provided by the Government terminated. In order to protect property against damage caused by enemy attacks or our military services in resisting such attacks, War Damage Insurance must now be purchased from the War Damage Corporation. Many of the large insurance companies have been appointed as fiduciary agents for the War Damage Corporation and the insurance needs of the broadcasting industry can be taken up individually with them or their brokers.

William I. Moore, WBNX, Chairman of the NAB Insurance Committee, states that the NAB Insurance Committee will not hold a meeting on the subject as the War Damage Insurance is not an involved subject and the rates are set by the War Damage Corporation.

MILLER ADDRESSES IRE

Radio engineers are vital in winning this war, but without a continued "courageous enterprise" on their part we might lose it, 300 radio experts and guests from all parts of the country heard here today at the Summer convention of the Institute of Radio Engineers.

Speakers included Neville Miller; E. K. Jett, chief engineer of the FCC; Paul Galvin, president of RMA; Captain E. M. Webster of the United States Coast Guard Communications System, and Arthur F. Van Dyck, the institute's president.

The occasion was a symposium on "What Radio Means in the War Effort," which ended the second day of the three-day convention of the institute.

"Each new stage of the war emphasizes the growing importance of radio," Mr. Miller said. "With the coming of war we saw the government take more positive action in the radio field. Radio cooperated and is continuing to cooperate with the activities of all government agencies. It has accepted in its stride the increased responsibilities, but there is much more to be done."

Mr. Miller pointed out that the operation of broadcasting stations through possible air raids is being worked out and a satisfactory solution is expected.

"One of our greatest assets," Mr. Miller concluded, "is our domestic radio system and the men that make it operate. Let me advocate that we all begin a once to learn how to use this new marvel at home, how to use it to win the war, and, finally, how to use it when the war is over, to make the world a better place in which to live."

Problems of the radio expert will never be finished, delegates were told by Mr. Galvin, "for you will constantly be called upon to explore new horizons, and without courageous enterprise we might lose the war."

"The whole pattern of our war tactics and strategy has been altered by radio communications and radio direction-finders," he said. "You are alive, I am sure, to your war responsibilities, but I implore you to do more. You must do more—we all must do more if we are to win."

Mr. Jett outlined the "huge war task" of the FCC in supervising the radio affairs of the country. Systems are now in effect, he said, to prevent vital information from falling into enemy hands through accident. The country now has direct communication through world-wide radio channels to all Allied nations of the globe, and the FCC has more than 100 radio monitoring depots.

YEUILL-DELANO

George F. Bissell, general manager, WMFF, Plattsburg, N. Y., suggests that any broadcaster negotiating a contract with David

Yeuill or Daniel Delano of Radio Associates, Inc. (Boston) should get in touch with him.

WOMEN'S RADIO DIRECTOR HONORED

Ann Ginn, Director of Women's Activities, Radio Station WTCN, was honored in connection with the recent AFA Convention. She was one of four women accorded Honorable Mention in the Josephine Snapp Award. This award is made each year to the woman who has made the year's outstanding contribution to advertising. The award this year went to Mrs. Barbara Daley Anderson, home economics director and editor of the consumer service bureau "Parent Magazine," who is also president of the New York Woman's Advertising Club.

ARKANSAS

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Arkansas	6,455	55.2	3,556	1,685	67.9	1,145	1,684	57.0	960	3,086	47.0	1,451
Ashley	6,789	40.8	2,762	1,336	69.3	926	1,687	47.7	805	3,766	27.4	1,031
Baxter	2,520	45.2	1,140	......	....	......	780	60.2	470	1,740	38.5	670
Benton	10,101	59.4	5,997	1,954	79.7	1,558	2,200	62.5	1,374	5,947	51.5	3,065
Boone	4,221	61.5	2,591	1,231	82.6	1,017	589	51.4	303	2,401	52.9	1,271
Bradley	4,487	50.5	2,263	749	81.5	611	1,859	49.6	922	1,879	38.8	730
Calhoun	2,269	39.9	907	......	....	......	743	47.3	351	1,526	36.4	556
Carroll	4,053	58.8	2,384	......	....	......	1,448	69.8	1,010	2,605	52.7	1,374
Chicot	7,403	30.0	2,223	929	39.5	367	1,655	45.0	745	4,819	23.1	1,111
Clark	6,115	50.3	3,111	1,403	71.4	1,001	1,749	54.3	950	2,963	39.1	1,160
Clay	6,961	58.0	4,041	......	....	......	2,416	64.1	1,549	4,545	54.8	2,492
Cleburne	3,193	49.5	1,580	......	....	......	857	59.9	513	2,336	45.7	1,067
Cleveland	2,917	40.9	1,193	......	....	......	877	46.5	408	2,040	38.5	785
Columbia	7,406	44.9	3,363	1,248	69.6	869	1,457	57.4	836	4,701	35.3	1,658
Conway	4,984	47.3	2,364	1,217	71.5	870	831	38.9	323	2,936	39.9	1,171
Craighead	11,584	66.4	7,695	3,289	80.2	2,637	2,015	65.6	1,322	6,280	59.5	3,736
Crawford	5,942	54.2	3,225	1,533	73.0	1,119	1,629	49.2	801	2,780	47.0	1,305
Crittenden	11,586	28.8	3,345	1,025	48.2	494	2,033	44.6	907	8,528	22.8	1,944
Cross	6,299	41.3	2,603	1,021	59.8	611	971	47.3	459	4,307	35.6	1,533
Dallas	3,560	41.1	1,461	975	56.5	551	1,075	31.5	339	1,510	37.8	571
Desha	7,129	31.7	2,261	1,082	65.8	712	1,552	41.8	649	4,495	20.0	900
Drew	4,955	34.6	1,713	1,042	66.5	693	1,054	37.7	398	2,859	21.7	622
Faulkner	6,351	57.5	3,652	1,587	77.4	1,228	712	48.8	347	4,052	51.3	2,077
Franklin	3,859	54.6	2,106	......	....	......	1,597	59.4	948	2,262	51.2	1,158
Fulton	2,546	44.1	1,122	......	....	......	540	61.2	330	2,006	39.5	792
Garland	11,525	65.6	7,562	6,358	72.9	4,633	3,325	61.6	2,049	1,842	47.8	880
Grant	2,607	50.2	1,308	......	....	......	1,103	56.9	627	1,504	45.3	681
Greene	7,360	64.2	4,733	2,047	83.2	1,702	809	54.0	437	4,504	57.6	2,594
Hempstead	8,079	43.4	3,502	2,104	62.0	1,304	981	47.9	470	4,994	34.6	1,728
Hot Spring	4,725	51.9	2,444	1,492	68.4	1,021	1,077	46.4	499	2,156	42.9	924
Howard	4,169	47.2	1,984	810	69.4	562	929	61.2	568	2,430	35.2	854
Independence	6,253	57.4	3,584	1,408	77.2	1,087	1,239	48.8	604	3,606	52.5	1,893
Izard	3,103	45.7	1,418	......	....	......	688	62.6	431	2,415	40.9	987
Jackson	6,413	48.0	3,080	1,264	59.5	752	1,188	48.8	580	3,961	44.1	1,748
Jefferson	17,807	41.8	7,412	6,378	72.3	4,611	3,384	35.4	1,198	8,045	19.9	1,603
Johnson	4,706	53.9	2,541	924	77.8	719	1,253	51.0	638	2,529	46.8	1,184
Lafayette	4,274	36.4	1,554	......	....	......	1,524	50.9	776	2,750	28.3	778
Lawrence	5,429	56.5	3,069	......	....	......	1,904	63.4	1,207	3,525	52.8	1,862
Lee	6,819	29.7	2,024	1,373	48.3	663	522	44.6	233	4,924	22.9	1,128
Lincoln	4,916	25.6	1,263	......	....	......	1,013	42.1	427	3,903	21.4	836
Little River	4,082	35.8	1,458	......	....	......	1,621	50.6	820	2,461	25.9	638
Logan	6,070	56.8	3,441	895	76.4	684	1,543	60.0	925	3,632	50.4	1,832
Lonoke	7,619	48.2	3,666	......	....	......	2,101	64.3	1,352	5,518	41.9	2,314
Madison	3,523	38.3	1,348	......	....	......	508	58.7	298	3,015	34.8	1,050
Marion	2,340	45.4	1,063	......	....	......	568	54.0	307	1,772	42.6	756
Miller	8,359	52.0	4,333	3,403	69.9	2,377	1,359	48.2	655	3,597	36.2	1,301
Mississippi	19,891	50.4	10,021	4,031	63.1	2,542	2,603	58.1	1,513	13,257	45.0	5,966
Monroe	5,291	38.4	2,030	1,708	33.1	842	727	39.7	289	2,856	31.5	899
Montgomery	2,221	43.9	975	......	....	......	698	51.8	362	1,523	40.3	613
Nevada	4,807	46.9	2,256	902	63.7	575	760	58.8	447	3,145	39.2	1,234

ARKANSAS—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Newton	2,455	33.4	820	......	....	......	264	54.8	145	2,191	30.8	675
Ouachita	7,671	48.4	3,722	2,476	61.2	1,516	2,910	50.7	1,477	2,285	31.9	729
Perry	1,966	38.2	754	......	....	......	752	45.7	344	1,214	33.8	410
Phillips	12,809	32.5	4,171	4,158	46.9	1,949	2,187	41.1	898	6,464	20.5	1,324
Pike	2,953	46.5	1,372	......	....	......	1,214	57.9	702	1,739	38.5	670
Poinsett	8,757	50.9	4,460	1,577	64.6	1,019	1,524	57.7	880	5,656	45.3	2,561
Polk	4,070	46.2	1,885	1,032	69.8	720	847	46.2	392	2,191	35.3	773
Pope	6,342	52.2	3,307	1,650	74.4	1,227	1,691	48.6	822	3,001	41.9	1,258
Prairie	3,785	49.1	1,860	......	....	......	1,448	52.3	757	2,337	47.2	1,103
Pulaski	42,112	71.7	30,215	30,564	79.3	24,235	6,523	55.3	3,610	5,025	47.2	2,370
Randolph	4,438	49.6	2,210	798	68.0	543	497	46.9	233	3,143	45.6	1,434
St. Francis	9,223	31.8	2,922	1,655	60.8	1,005	1,284	43.8	563	6,284	21.5	1,354
Saline	4,412	57.6	2,539	1,044	75.0	783	863	60.9	526	2,505	49.1	1,230
Scott	3,320	52.9	1,757	......	....	......	1,543	56.9	878	1,777	49.5	879
Searcy	2,803	38.1	1,070	......	....	......	726	51.6	374	2,077	33.5	696
Sebastian	16,765	73.4	12,301	10,171	81.0	8,234	3,700	63.4	2,344	2,894	59.5	1,723
Sevier	3,822	49.2	1,877	858	73.9	634	970	51.6	500	1,994	37.3	743
Sharp	2,826	47.4	1,339	......	....	......	815	57.6	469	2,011	43.2	870
Stone	1,986	38.7	768	......	....	......	279	57.8	161	1,707	35.6	607
Union	13,275	59.1	7,826	4,683	76.0	3,561	5,072	57.7	2,924	3,520	38.1	1,341
Van Buren	2,981	43.8	1,306	......	....	......	693	54.9	380	2,288	40.5	926
Washington	11,099	60.1	6,666	3,378	80.1	2,706	1,771	62.0	1,098	5,950	48.1	2,862
White	9,474	54.6	5,177	1,081	76.5	827	2,657	55.9	1,485	5,736	49.9	2,865
Woodruff	5,312	45.4	2,410	......	....	......	1,954	50.9	994	3,358	42.2	1,416
Yell	5,096	52.7	2,687	......	....	......	2,015	59.8	1,204	3,081	48.1	1,483
State Total	495,825	50.9	252,148	123,528	72.4	89,442	111,636	53.7	59,891	260,661	39.5	102,815

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Fort Smith	Sebastian	10,171	81.0	8,234
Little Rock	Pulaski	24,672	81.0	19,985

CONNECTICUT

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Fairfield	110,235	96.5	106,428	77,124	96.4	74,379	29,997	97.1	29,130	3,114	93.7	2,919
Hartford	116,448	96.8	112,775	84,126	97.3	81,850	27,564	96.2	26,506	4,758	92.9	4,419
Litchfield	23,304	93.6	21,824	9,112	95.6	8,714	10,867	93.4	10,146	3,325	89.1	2,964
Middlesex	14,084	94.6	13,319	5,791	96.1	5,567	6,878	94.4	6,493	1,415	89.0	1,259
New Haven	128,057	96.2	123,139	101,601	96.2	97,734	23,529	96.7	22,751	2,927	90.7	2,654
New London	32,834	92.3	30,290	16,861	94.3	15,899	12,602	92.4	11,643	3,371	81.5	2,748
Tolland	8,491	90.3	7,668	3,170	94.3	2,989	2,841	90.9	2,581	2,480	84.6	2,098
Windham	15,229	90.7	13,817	6,579	94.0	6,184	5,927	90.4	5,355	2,723	83.7	2,278
State Total	448,682	95.7	429,260	304,364	96.4	293,316	120,205	95.3	114,605	24,113	88.5	21,339

CONNECTICUT—*Continued*

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Bridgeport	Fairfield	39,336	96.4	37,937
Bristol	Hartford	7,629	97.9	7,471
Hartford	Hartford	44,253	97.1	42,970
Meriden	New Haven	10,790	96.2	10,384
Middletown	Middlesex	5,791	96.1	5,567
New Britain	Hartford	17,256	96.5	16,655
New Haven	New Haven	42,480	96.2	40,856
New London	New London	8,157	94.6	7,719
Norwalk	Fairfield	10,904	95.8	10,443
Stamford	Fairfield	12,246	96.9	11,868
Torrington	Litchfield	7,035	95.9	6,749
Waterbury	New Haven	25,387	96.2	24,429
West Hartford town	Hartford	8,915	98.9	8,818
West Haven town	New Haven	8,085	97.5	7,884

NAB Research Department

June 30, 1942

GEORGIA

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Appling	3,032	38.9	1,179	724	54.0	391	402	30.9	124	1,906	34.8	664
Atkinson	1,585	41.5	658	......	....	......	683	44.3	302	902	39.5	356
Bacon	1,789	44.2	791	......	....	......	685	47.4	325	1,104	42.2	466
Baker	1,667	24.6	410	......	....	......	265	36.6	97	1,402	22.3	313
Baldwin	4,006	50.6	2,023	1,872	56.7	1,061	862	68.7	592	1,272	29.1	370
Banks	1,926	42.5	820	......	....	......	356	50.4	180	1,570	40.8	640
Barrow	3,290	56.6	1,864	1,171	66.7	781	390	62.7	245	1,729	48.5	838
Bartow	5,828	59.1	3,443	1,635	69.6	1,138	1,594	68.2	1,088	2,599	46.8	1,217
Ben Hill	3,569	53.4	1,900	2,037	62.7	1,277	205	58.5	120	1,327	37.9	503
Berrien	3,493	39.1	1,367	......	....	......	1,218	43.4	529	2,275	36.8	838
Bibb	23,159	58.1	13,461	16,676	57.8	9,638	5,153	61.9	3,191	1,330	47.5	632
Bleckley	2,322	38.6	894	......	....	......	737	49.1	362	1,585	33.6	532
Brantley	1,457	28.1	410	......	....	......	650	33.1	215	807	24.2	195
Brooks	4,668	35.1	1,632	1,212	52.6	637	435	39.6	172	3,021	27.2	823
Bryan	1,439	26.7	384	......	....	......	1,022	27.9	285	417	23.8	99
Bulloch	5,943	40.7	2,421	1,350	58.0	783	887	36.6	325	3,706	35.4	1,313
Burke	6,873	23.6	1,617	1,212	40.7	493	1,026	43.6	448	4,635	14.6	676
Butts	2,278	45.4	1,032	......	....	......	966	65.2	630	1,312	30.7	402
Calhoun	2,609	23.6	616	......	....	......	899	39.7	357	1,710	15.2	259
Camden	1,438	33.8	486	......	....	......	1,043	36.2	378	395	27.3	108
Candler	2,079	40.5	843	......	....	......	627	50.0	314	1,452	36.4	529
Carroll	8,356	51.9	4,344	1,732	75.5	1,308	1,410	72.4	1,021	5,214	38.6	2,015
Catoosa	2,585	70.2	1,816	......	....	......	1,113	82.0	912	1,472	61.4	904
Charlton	1,224	33.7	412	......	....	......	904	35.8	324	320	27.5	88
Chatham	31,718	65.4	20,732	26,406	67.2	17,742	4,669	56.6	2,641	643	54.3	349
Chattahoochee	527	29.2	153	......	....	......	102	49.5	50	425	24.3	103
Chatooga	4,207	64.8	2,750	844	88.7	748	1,768	66.8	1,182	1,595	51.4	820
Cherokee	4,691	52.5	2,463	702	80.0	562	1,264	63.7	805	2,725	40.2	1,096
Clarke	7,401	66.4	4,909	5,640	69.2	3,903	790	71.2	562	971	45.8	444
Clay	1,696	27.4	464	......	....	......	598	38.7	232	1,098	21.2	232
Clayton	2,795	56.7	1,587	83	90.2	75	1,361	67.7	922	1,351	43.7	590
Clinch	1,580	39.5	624	......	....	......	1,315	36.9	485	265	52.5	139
Cobb	9,335	68.1	6,366	2,298	75.5	1,735	3,620	76.6	2,773	3,417	54.4	1,858
Coffee	4,824	37.4	1,808	1,275	53.9	687	866	34.4	298	2,683	30.7	823
Colquitt	7,467	45.0	3,357	2,624	55.4	1,454	1,224	44.3	542	3,619	37.6	1,361
Columbia	2,169	37.4	810	......	....	......	636	49.2	313	1,533	32.4	497
Cook	2,772	43.5	1,207	......	....	......	1,222	42.8	524	1,550	44.1	683
Coweta	6,604	47.7	3,145	2,015	64.4	1,297	1,896	61.2	1,160	2,693	25.5	688
Crawford	1,555	29.7	466	......	....	......	366	46.7	171	1,189	24.8	295
Crisp	4,422	39.4	1,742	2,254	46.9	1,057	234	48.4	113	1,934	29.6	572

GEORGIA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Dade	1,222	48.0	586	......	....	......	446	51.2	228	776	46.1	358
Dawson	961	42.6	410	......	....	......	91	78.2	71	870	38.9	339
Decatur	5,302	32.6	1,735	1,708	46.9	800	1,095	30.5	334	2,499	24.0	601
DeKalb	22,648	81.7	18,495	12,480	90.0	11,229	7,731	74.4	5,752	2,437	62.1	1,514
Dodge	4,773	33.7	1,606	918	52.2	479	739	35.1	260	3,116	27.8	867
Dooly	3,951	32.3	1,272	......	....	......	1,131	48.3	547	2,820	25.7	725
Dougherty	7,421	50.4	3,735	5,050	57.4	2,899	1,131	51.5	583	1,240	20.4	253
Douglas	2,320	50.2	1,162	624	67.6	422	273	51.0	139	1,423	42.3	601
Early	4,382	29.9	1,317	807	55.5	448	452	36.7	166	3,123	22.5	703
Echols	768	28.2	216	......	....	......	484	23.6	114	284	36.0	102
Effingham	2,296	34.5	792	......	....	......	1,041	39.0	406	1,255	30.8	386
Elbert	4,706	48.9	2,318	1,713	59.4	1,017	481	58.2	280	2,512	40.7	1,021
Emanuel	5,498	40.4	2,226	1,031	54.2	559	999	39.9	399	3,468	36.6	1,268
Evans	1,749	39.5	691	......	....	......	799	46.9	375	950	33.3	316
Fannin	3,106	52.0	1,617	......	....	......	1,114	72.1	803	1,992	40.8	814
Fayette	1,846	34.6	637	......	....	......	412	49.4	203	1,434	30.3	434
Floyd	13,811	72.1	9,954	6,994	74.3	5,197	3,719	81.1	3,016	3,098	56.2	1,741
Forsyth	2,586	45.9	1,190	......	....	......	301	63.7	192	2,285	43.7	998
Franklin	3,484	49.0	1,708	......	....	......	980	63.0	617	2,504	43.6	1,091
Fulton	103,465	74.9	77,513	83,495	75.3	62,875	16,356	78.2	12,795	3,614	51.0	1,843
Gilmer	1,951	38.4	748	......	....	......	564	55.3	312	1,387	31.4	436
Glascock	1,000	48.2	482	......	....	......	273	49.4	135	727	47.7	347
Glynn	5,677	60.8	3,453	3,919	62.6	2,454	1,372	62.6	859	386	36.2	140
Gordon	4,312	65.0	2,801	805	82.7	666	1,091	70.9	773	2,416	56.4	1,362
Grady	4,520	41.3	1,865	1,204	56.8	684	526	40.7	214	2,790	34.7	967
Greene	3,254	39.2	1,277	......	....	......	1,469	56.3	827	1,785	25.2	450
Gwinnett	6,822	53.1	3,634	1,000	71.6	716	1,692	65.4	1,106	4,130	43.9	1,812
Habersham	3,380	55.6	1,876	......	....	......	1,724	66.1	1,140	1,656	44.4	736
Hall	8,109	61.2	4,956	2,689	70.5	1,897	2,562	74.5	1,910	2,858	40.2	1,149
Hancock	2,745	24.5	673	......	....	......	657	42.4	278	2,088	18.9	395
Haralson	3,459	53.4	1,851	......	....	......	1,387	70.6	980	2,072	42.0	871
Harris	2,621	29.7	777	......	....	......	738	40.2	297	1,883	25.5	480
Hart	3,487	50.9	1,773	......	....	......	687	70.6	485	2,800	46.0	1,288
Heard	1,903	31.6	603	......	....	......	232	51.8	120	1,671	28.9	483
Henry	3,493	40.2	1,401	......	....	......	914	66.9	611	2,579	30.6	790
Houston	2,657	30.8	817	......	....	......	761	55.2	420	1,896	20.9	397
Irwin	2,775	37.1	1,031	......	....	......	829	40.0	332	1,946	35.9	699
Jackson	4,640	50.0	2,312	894	69.4	620	1,014	59.9	608	2,732	39.7	1,084
Jasper	2,146	41.3	884	......	....	......	768	61.6	473	1,378	29.8	411
Jeff Davis	1,901	42.2	802	......	....	......	616	46.0	283	1,285	40.4	519
Jefferson	4,637	39.0	1,804	......	....	......	1,601	56.8	910	3,036	29.5	894
Jenkins	2,893	28.3	816	796	46.1	367	138	40.1	55	1,959	20.1	394
Johnson	3,033	29.8	902	......	....	......	839	42.9	360	2,194	24.7	542
Jones	1,943	34.3	673	......	....	......	601	54.4	327	1,342	25.8	346
Lamar	2,481	50.5	1,242	1,017	66.3	674	362	67.1	243	1,102	29.5	325
Lanier	1,220	38.3	467	......	....	......	481	37.1	178	739	39.1	289
Laurens	7,821	39.5	3,091	2,175	55.9	1,215	641	48.3	309	5,005	31.3	1,567
Lee	2,010	19.1	385	......	....	......	429	45.7	196	1,581	11.9	189
Liberty	2,018	26.9	541	......	....	......	1,001	33.4	334	1,017	20.3	207
Lincoln	1,503	35.6	523	......	....	......	246	62.2	153	1,257	29.4	370
Long	932	25.2	235	......	....	......	468	25.8	121	464	24.6	114
Lowndes	7,620	46.9	3,572	4,022	56.5	2,273	1,169	43.1	504	2,429	32.7	795
Lumpkin	1,403	39.1	549	......	....	......	452	57.5	260	951	30.3	289
McDuffie	2,605	40.5	1,061	876	60.2	528	245	43.3	106	1,484	28.8	427
McIntosh	1,375	30.6	421	......	....	......	1,221	30.1	368	154	34.7	53
Macon	3,845	32.1	1,231	......	....	......	1,469	47.2	694	2,376	22.6	537
Madison	3,082	45.5	1,403	......	....	......	641	60.0	385	2,441	41.7	1,018
Marion	1,597	27.8	444	......	....	......	514	37.8	194	1,083	23.0	250
Meriwether	5,119	38.5	1,972	847	73.3	621	1,234	53.6	662	3,038	22.7	689
Miller	2,182	30.3	665	......	....	......	463	48.8	226	1,719	25.5	439
Mitchell	5,282	31.6	1,672	1,404	48.6	683	394	31.3	123	3,484	24.9	866
Monroe	2,593	36.5	912	......	....	......	1,101	47.7	525	1,402	27.6	387
Montgomery	2,061	29.9	616	......	....	......	820	33.5	274	1,241	27.5	342
Morgan	3,092	36.8	1,139	......	....	......	1,035	52.9	548	2,057	28.7	591
Murray	2,362	55.9	1,322	......	....	......	650	65.9	429	1,712	52.2	893

GEORGIA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Muscogee	19,503	64.2	12,513	14,143	67.0	9,471	4,319	61.7	2,664	1,041	36.3	378
Newton	4,486	59.0	2,641	1,808	77.3	1,397	755	62.5	472	1,923	40.1	772
Oconee	1,771	41.3	730	......	....	......	332	68.2	226	1,439	35.0	504
Oglethorpe	2,741	36.4	998	......	....	......	588	53.7	315	2,153	31.7	683
Paulding	2,788	47.4	1,322	......	....	......	602	68.0	410	2,186	41.7	912
Peach	2,572	41.8	1,073	1,307	54.6	713	221	37.6	83	1,044	26.5	277
Pickens	2,074	53.3	1,103	......	....	......	803	78.5	630	1,271	37.2	473
Pierce	2,587	35.3	913	......	....	......	912	42.0	383	1,675	31.6	530
Pike	2,319	40.6	941	......	....	......	523	54.8	287	1,796	36.4	654
Polk	6,428	66.7	4,294	3,078	77.9	2,399	1,488	63.1	939	1,862	51.3	956
Pulaski	2,492	33.2	824	924	51.3	474	120	35.9	43	1,448	21.2	307
Putnam	1,957	36.5	708	......	....	......	755	56.9	430	1,202	23.1	278
Quitman	743	21.3	158	......	....	......	190	34.0	65	553	16.8	93
Rabun	1,712	41.5	712	......	....	......	629	52.4	330	1,083	35.2	382
Randolph	3,968	30.3	1,199	969	46.7	452	559	37.3	209	2,440	22.0	538
Richmond	21,201	62.0	13,159	17,510	63.4	11,097	2,107	64.5	1,359	1,584	44.4	703
Rockdale	1,824	50.7	924	......	....	......	780	66.3	517	1,044	39.0	407
Schley	1,127	35.5	400	......	....	......	301	50.7	153	826	29.9	247
Screven	4,636	27.8	1,284	695	46.3	322	818	33.1	271	3,123	22.1	691
Seminole	1,906	32.2	613	......	....	......	638	41.5	265	1,268	27.5	348
Spalding	7,106	64.2	4,560	3,514	67.9	2,387	1,915	76.4	1,463	1,677	42.3	710
Stephens	2,972	58.7	1,746	1,336	69.1	923	394	62.5	246	1,242	46.4	577
Stewart	2,398	27.1	646	......	....	......	895	39.7	356	1,503	19.3	290
Sumter	6,287	36.0	2,267	2,682	51.2	1,373	534	47.3	253	3,071	20.9	641
Talbot	1,834	23.5	431	10	10.0	1	743	31.0	230	1,081	18.5	200
Taliaferro	1,372	29.0	397	......	....	......	413	44.1	182	959	22.4	215
Tattnall	3,448	42.4	1,458	......	....	......	1,289	49.2	634	2,159	38.2	824
Taylor	2,482	35.3	876	......	....	......	825	45.4	374	1,657	30.3	502
Telfair	3,428	36.0	1,234	......	....	......	1,628	40.9	666	1,800	31.6	568
Terrell	4,123	26.2	1,080	1,116	44.9	501	365	42.9	157	2,642	16.0	422
Thomas	7,779	48.6	3,784	3,506	59.1	2,073	1,215	50.4	612	3,058	36.0	1,099
Tift	4,548	45.7	2,080	1,448	61.2	887	1,244	32.3	402	1,856	42.6	791
Toombs	3,734	41.4	1,547	1,043	54.8	572	792	41.0	325	1,899	34.2	650
Towns	1,053	45.4	479	......	....	......	211	59.0	125	842	42.0	354
Treutlen	1,621	32.6	528	......	....	......	576	36.6	211	1,045	30 3	317
Troup	10,608	52.9	5,607	7,480	61.3	4,586	1,024	45.0	461	2,104	26.6	560
Turner	2,567	37.2	954	......	....	......	903	50.8	459	1,664	29.8	495
Twiggs	1,985	23.8	472	......	....	......	330	48.2	159	1,655	18.9	313
Union	1,706	32.6	558	......	....	......	206	53.6	110	1,500	29.9	448
Upson	5,890	58.0	3,410	3,432	72.4	2,485	988	45.7	451	1,470	32.2	474
Walker	7,296	69.0	5,018	1,731	83.7	1,448	2,703	70.7	1,912	2,862	57.9	1,658
Walton	4,893	55.2	2,698	1,148	71.0	815	903	64.2	580	2,842	45.9	1,303
Ware	6,710	57.7	3,873	4,291	65.5	2,812	1,132	42.4	480	1,287	45.1	581
Warren	2,399	29.3	702	......	....	......	686	48.6	334	1,713	21.5	368
Washington	5,704	31.6	1,800	1,004	43.5	437	1,083	40.0	434	3,617	25.7	929
Wayne	2,987	38.7	1,158	701	54.9	385	853	28.2	240	1,433	38.2	533
Webster	1,019	26.9	274	......	....	......	179	45.3	81	840	23.0	193
Wheeler	1,827	39.2	716	......	....	......	534	40.5	216	1,293	38.7	500
White	1,394	42.2	585	......	....	......	394	58.7	231	1,000	35.4	354
Whitfield	6,080	73.8	4,497	2,638	85.9	2,266	1,324	75.0	994	2,118	58.4	1,237
Wilcox	2,875	33.2	954	......	....	......	819	43.8	359	2,056	28.9	595
Wilkes	3,613	32.2	1,160	1,074	46.4	498	225	46.2	104	2,314	24.1	558
Wilkinson	2,640	36.0	949	......	....	......	1,268	43.9	557	1,372	28.5	392
Worth	4,884	30.4	1,488	......	....	......	1,233	47.7	588	3,651	24.7	900
State Total	752,241	52.5	394,755	288,818	68.2	196,864	170,595	57.6	98,273	292,828	34.0	99,618

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Atlanta	Fulton	82,000	76.3	62,570
Augusta	Richmond	17,510	63.4	11,097
Columbus	Muscogee	14,143	67.0	9,471
Macon	Bibb	16,676	57.8	9,638
Rome	Floyd	6,994	74.3	5,197
Savannah	Chatham	26,406	67.2	17,742

NAB Research Department

June 29, 1942

KANSAS

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Allen	6,020	76.4	4,597	2,340	84.6	1,980	1,646	78.5	1,292	2,034	65.1	1,325
Anderson	3,404	73.3	2,489	862	84.5	729	843	63.8	677	1,699	63.8	1,083
Atchison	6,217	84.8	5,270	3,703	90.7	3,358	692	81.0	561	1,822	74.2	1,351
Barber	2,574	81.6	2,100	......	....	......	1,505	82.8	1,246	1,069	79.8	854
Barton	6,790	87.3	5,926	3,585	91.5	3,279	1,476	84.9	1,253	1,729	80.6	1,394
Bourbon	6,354	77.0	4,890	3,310	82.9	2,744	729	72.2	526	2,315	70.0	1,620
Brown	5,080	83.4	4,236	1,940	87.8	1,703	838	84.0	704	2,302	79.5	1,829
Butler	9,210	82.5	7,596	4,095	91.1	3,731	2,214	81.7	1,809	2,901	70.9	2,056
Chase	1,835	75.1	1,379	......	....	......	942	78.0	735	893	72.1	644
Chautaugua	2,685	66.9	1,796	......	....	......	1,406	75.7	1,064	1,279	57.2	732
Cherokee	8,656	74.8	6,476	3,907	80.1	3,130	2,437	70.4	1,716	2,312	70.5	1,630
Cheyenne	1,590	76.0	1,208	......	....	......	656	78.9	517	934	73.9	691
Clark	1,107	81.8	905	......	....	......	609	82.1	500	498	81.4	405
Clay	3,964	86.3	3,420	1,413	90.5	1,279	675	86.2	582	1,876	83.1	1,559
Cloud	5,001	82.4	4,123	1,843	90.3	1,664	1,188	82.9	985	1,970	74.8	1,474
Coffey	3,679	72.3	2,661	......	....	......	1,651	81.1	1,339	2,028	65.2	1,322
Comanche	1,241	83.4	1,034	......	....	......	694	84.1	583	547	82.5	451
Cowley	11,102	84.9	9,428	6,947	90.6	6,292	1,536	79.0	1,213	2,619	73.4	1,923
Crawford	13,614	81.2	11,055	6,487	90.0	5,841	4,663	75.0	3,499	2,464	69.6	1,715
Decatur	2,062	75.1	1,552	......	....	......	950	81.6	775	1,112	69.8	777
Dickinson	6,632	87.9	5,829	2,846	93.2	2,652	1,322	84.6	1,118	2,464	83.6	2,059
Doniphan	3,663	74.0	2,714	......	....	......	1,711	77.9	1,333	1,952	70.7	1,381
Douglas	7,897	85.6	6,766	4,689	89.4	4,193	1,075	87.2	937	2,133	76.7	1,636
Edwards	1,834	80.6	1,479	......	....	......	1,080	83.0	897	754	77.2	582
Elk	2,468	71.2	1,756	......	....	......	1,243	81.2	1,009	1,225	61.0	747
Ellis	3,935	80.5	3,164	1,619	90.6	1,467	1,050	76.8	806	1,266	70.3	891
Ellsworth	2,676	83.6	2,239	......	....	......	1,515	87.8	1,330	1,161	78.3	909
Finney	2,706	81.6	2,210	1,797	85.1	1,530	167	73.0	122	742	75.2	558
Ford	4,579	87.1	3,987	2,435	90.4	2,201	955	85.8	819	1,189	81.3	967
Franklin	6,117	81.3	4,976	2,956	91.1	2,693	937	87.9	740	2,224	69.4	1,543
Geary	3,527	90.1	3,178	2,542	92.6	2,353	203	88.7	180	782	82.5	645
Gove	1,138	67.1	763	......	....	......	458	71.5	327	680	64.1	436
Graham	1,572	66.8	1,051	......	....	......	637	67.5	430	935	66.4	621
Grant	497	73.1	363	......	....	......	245	78.3	192	252	68.0	171
Gray	1,200	76.0	909	......	....	......	559	87.2	487	641	65.9	422
Greeley	429	75.6	324	......	....	......	228	79.0	180	201	71.7	144
Greenwood	4,764	75.2	3,579	1,160	85.1	987	1,680	81.3	1,366	1,924	63.7	1,226
Hamilton	707	75.9	536	......	....	......	419	78.8	330	288	71.6	206
Harper	3,481	84.6	2,945	897	89.6	803	1,044	82.0	857	1,540	83.4	1,285
Harvey	5,973	87.0	5,191	3,121	92.7	2,894	1,188	88.5	1,051	1,664	74.9	1,246
Haskell	541	80.0	433	......	....	......	257	88.1	227	284	72.6	206
Hodgeman	892	75.7	675	......	....	......	319	84.2	269	573	70.9	406
Jackson	3,909	74.5	2,906	959	86.3	827	732	77.9	570	2,218	68.0	1,509
Jefferson	3,748	69.8	2,613	......	....	......	1,594	79.2	1,263	2,154	62.7	1,350
Jewell	3,603	73.8	2,657	......	....	......	1,376	77.7	1,069	2,227	71.3	1,588
Johnson	9,686	88.4	8,552	1,181	84.6	999	5,980	93.7	5,605	2,525	77.1	1,948
Kearny	671	80.0	538	......	....	......	322	84.2	271	349	76.4	267
Kingman	3,212	84.4	2,711	965	91.1	879	676	83.0	561	1,571	80.9	1,271
Kiowa	1,395	82.8	1,154	......	....	......	722	85.9	620	673	79.3	534
Labetta	8,889	80.3	7,138	4,134	88.8	3,670	2,213	78.2	1,730	2,542	68.4	1,738
Lane	759	79.6	604	......	....	......	375	76.4	286	384	82.9	318
Leavenworth	9,023	85.6	7,722	5,737	89.5	5,136	1,172	81.2	951	2,114	77.3	1,635
Lincoln	2,314	80.8	1,868	......	....	......	979	83.3	815	1,335	78.9	1,053
Linn	3,656	62.6	2,285	......	....	......	1,506	72.5	1,091	2,150	55.5	1,194
Logan	961	76.3	732	......	....	......	539	87.7	473	422	61.4	259
Lyon	7,692	82.3	6,336	3,977	91.8	3,651	1,157	81.0	937	2,558	68.3	1,748
McPherson	6,710	85.7	5,751	2,142	93.4	2,002	1,903	87.8	1,670	2,665	78.0	2,079
Marion	5,197	80.0	4,162	......	....	......	2,642	83.3	2,200	2,555	76.8	1,962
Marshall	5,966	81.7	4,873	1,136	93.3	1,060	2,087	84.6	1,765	2,743	74.7	2,048
Meade	1,444	75.9	1,097	......	....	......	757	81.5	617	687	69.9	480
Miami	5,412	77.6	4,203	2,431	85.3	2,075	642	77.1	495	2,339	69.8	1,633
Mitchell	3,173	84.2	2,670	1,077	88.8	956	708	78.7	557	1,388	83.4	1,157
Montgomery	14,650	81.1	11,881	10,473	85.8	8,987	1,460	70.3	1,026	2,717	68.7	1,868
Morris	2,969	80.4	2,388	894	90.9	812	579	83.0	481	1,496	73.2	1,095
Morton	611	71.6	437	......	....	......	395	70.1	277	216	74.3	160

KANSAS—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Nemaha	4,486	79.2	3,549	......	....	......	2,148	86.6	1,860	2,338	72.2	1,689
Neosho	6,552	77.4	5,077	3,123	89.0	2,778	1,232	72.6	895	2,197	63.9	1,404
Ness	1,765	77.3	1,364	......	....	......	820	79.1	648	945	75.8	716
Norton	2,711	71.2	1,928	827	86.0	711	567	72.3	410	1,317	61.2	807
Osage	4,625	75.2	3,479	......	....	......	2,213	83.9	1,856	2,412	67.3	1,623
Osborne	2,856	79.5	2,271	......	....	......	1,445	83.6	1,207	1,411	75.4	1,064
Ottawa	2,778	84.8	2,356	......	....	......	1,358	87.1	1,182	1,420	82.6	1,174
Pawnee	2,466	86.2	2,125	1,098	89.3	981	309	87.0	269	1,059	82.6	875
Phillips	3,053	74.0	2,256	......	....	......	1,413	78.8	1,114	1,640	69.6	1,142
Pottawatomie	3,869	78.1	3,020	......	....	......	1,859	85.2	1,584	2,010	71.4	1,436
Pratt	3,467	87.8	3,045	1,896	92.7	1,758	472	81.9	387	1,099	81.9	900
Rawlins	1,701	81.1	1,379	......	....	......	712	80.7	574	989	81.3	805
Reno	14,772	87.2	12,887	8,733	90.7	7,921	2,718	88.7	2,410	3,321	77.0	2,556
Republic	3,999	76.1	3,043	796	87.2	694	972	77.7	756	2,231	71.4	1,593
Rice	4,988	88.3	4,403	1,329	93.2	1,238	2,022	89.4	1,807	1,637	82.9	1,358
Riley	6,074	86.9	5,274	3,544	92.9	3,292	725	83.7	607	1,805	76.2	1,375
Rooks	2,355	77.3	1,822	......	....	......	1,177	81.2	956	1,178	73.5	866
Rush	2,161	78.5	1,695	......	....	......	1,084	81.3	881	1,077	75.6	814
Russell	3,706	83.8	3,109	1,423	88.9	1,265	910	83.6	761	1,373	78.9	1,083
Saline	8,394	91.4	7,677	6,053	94.1	5,698	639	86.1	550	1,702	83.9	1,429
Scott	992	82.0	813	......	....	......	554	83.1	460	438	80.7	353
Sedgwick	42,468	90.3	38,356	34,775	91.4	31,783	4,214	87.9	3,702	3,479	82.5	2,871
Seward	1,800	83.2	1,500	1,254	88.7	1,113	133	78.3	104	413	68.5	283
Shawnee	26,376	90.8	23,955	20,462	93.2	19,077	3,342	87.7	2,931	2,572	75.7	1,947
Sheridan	1,254	70.6	885	......	....	......	420	75.4	317	834	68.1	568
Sherman	1,741	80.6	1,402	969	83.5	809	129	84.4	109	643	75.3	484
Smith	3,205	70.8	2,269	......	....	......	1,328	79.6	1,056	1,877	64.6	1,213
Stafford	2,921	84.7	2,475	......	....	......	1,483	89.7	1,330	1,438	79.7	1,145
Stanton	365	69.1	252	......	....	......	185	72.1	133	180	65.9	119
Stevens	852	72.9	620	......	....	......	458	78.1	358	394	66.5	262
Sumner	7,602	85.1	6,469	2,146	90.3	1,938	2,575	84.2	2,167	2,881	82.1	2,364
Thomas	1,747	83.9	1,466	......	....	......	1,020	86.7	884	727	80.1	582
Trego	1,462	77.4	1,130	......	....	......	630	82.1	517	832	73.7	613
Wabaunsee	2,603	72.4	1,883	......	....	......	1,044	81.9	855	1,559	65.9	1,028
Wallace	598	71.6	428	......	....	......	285	81.3	232	313	62.7	196
Washington	4,600	75.8	3,486	......	....	......	1,910	82.5	1,576	2,690	71.0	1.910
Wichita	564	75.0	423	......	....	......	263	78.7	207	301	71.8	216
Wilson	5,244	77.6	4,076	2,218	89.9	1,994	1,114	73.2	815	1,912	66.3	1,267
Woodson	2,323	71.0	1,648	......	....	......	1,189	81.4	968	1,134	59.9	680
Wyandotte	40,551	90.4	36,676	34,068	91.5	31,163	4,830	86.9	4,195	1,653	79.7	1,318
State Total	511,109	83.0	424,457	224,314	90.4	202,770	128,059	82.4	105,543	158,736	73.2	116,144

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Hutchinson	Reno	8,733	90.7	7,921
Kansas City	Wyandotte	34,068	91.5	31,163
Topeka	Shawnee	20,462	93.2	19,077
Wichita	Sedgwick	34,775	91.4	31,783

NAB Research Department June 30, 1942

LOUISIANA

Estimated Radio Homes, 1940

Parishes	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Acadia	10,971	39.2	4,300	3,816	54.2	2,068	2,132	43.3	923	5,023	26.1	1,309
Allen	4,464	43.3	1,933	1,091	54.1	590	1,892	48.7	922	1,481	28.4	421
Ascension	5,182	39.7	2,060	997	61.1	610	1,784	39.5	705	2,401	31.0	745
Assumption	4,263	32.7	1,391	......	....	......	2,052	35.3	723	2,211	30.2	668
Avoyelles	9,500	36.9	3,511	951	63.4	603	2,813	42.2	1,186	5,736	30.0	1,722
Beauregard	3,772	41.2	1,551	1,050	55.0	578	882	32.2	284	1,840	37.4	689
Bienville	5,671	37.8	2,142	......	....	......	1,814	57.1	1,035	3,857	28.7	1,107
Bossier	8,100	42.6	3,422	1,569	77.1	1,210	1,980	60.1	1,191	4,551	22.4	1,021
Caddo	40,350	65.6	26,484	26,909	76.3	20,534	6,501	68.2	4,431	6,940	21.9	1,519
Calcasieu	14,522	63.2	9,179	7,382	72.3	5,338	5,191	55.9	2,902	1,949	48.2	939

LOUISIANA—*Continued*

Parishes	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Caldwell	2,902	46.5	1,348	......	....	......	1,346	56.9	766	1,556	37.4	582
Cameron	1,698	47.8	813	......	....	......	772	58.8	454	926	38.8	359
Catahoula	3,522	28.1	1,019	......	....	......	1,074	42.1	452	2,448	23.2	567
Claiborne	7,036	38.4	2,698	988	59.3	586	1,480	68.0	1,006	4,568	24.2	1,106
Concordia	4,131	28.1	1,161	925	41.6	385	896	38.3	343	2,310	18.8	433
DeSoto	7,897	30.3	2,378	1,197	64.6	774	1,460	46.8	683	5,240	17.6	921
East Baton Rouge	23,016	71.0	16,314	9,130	78.0	7,124	11,472	70.7	8,114	2,414	44.6	1,076
East Carroll	5,206	30.5	1,582	1,192	40.1	477	398	33.2	132	3,616	26.9	973
East Feliciana	3,263	27.3	889	284	67.0	190	633	51.4	326	2,346	15.9	373
Evangeline	7,678	23.9	1,827	1,060	51.0	541	1,752	36.8	645	4,866	13.2	641
Franklin	7,981	34.9	2,792	874	60.2	526	697	53.0	369	6,410	29.6	1,897
Grant	3,915	39.4	1,549	......	....	......	2,323	46.0	1,070	1,592	30.1	479
Iberia	8,904	50.7	4,519	4,442	63.9	2,839	1,765	49.8	878	2,697	29.7	802
Iberville	7,001	35.9	2,512	1,367	57.0	780	3,062	37.9	1,162	2,572	22.2	570
Jackson	4,355	51.3	2,231	734	76.3	560	1,805	60.9	1,099	1,816	31.5	572
Jefferson	12,726	74.9	9,531	4,022	71.6	2,880	8,396	76.6	6,428	308	72.4	223
Jefferson Davis	6,046	44.9	2,711	1,959	62.8	1,231	1,935	43.1	834	2,152	30.0	646
Lafayette	10,321	43.7	4,528	4,942	64.8	3,204	1,366	44.5	608	4,013	17.8	716
Lafourche	8,638	40.3	3,474	1,398	68.1	952	3,992	41.1	1,641	3,248	27.1	881
LaSalle	2,737	48.3	1,322	......	....	......	1,901	51.4	977	836	41.3	345
Lincoln	6,005	46.9	2,824	1,924	64.9	1,249	647	56.7	367	3,434	35.2	1,208
Livingston	4,258	41.6	1,771	......	....	......	1,610	46.2	743	2,648	38.8	1,028
Madison	5,012	31.2	1,561	1,759	48.7	857	366	29.8	109	2,887	20.6	595
Morehouse	7,244	34.7	2,511	1,932	62.3	1,205	1,147	49.2	565	4,165	17.8	741
Natchitoches	9,851	32.5	3,197	1,918	57.2	1,096	1,959	40.9	800	5,974	21.8	1,301
Orleans	133,040	77.2	102,649	133,040	77.2	102,649	......	....	......	......	....	......
Ouachita	15,836	63.5	10,035	10,323	71.5	7,378	2,527	66.1	1,670	2,986	33.1	987
Plaquemines	2,918	49.8	1,454	......	....	......	1,979	50.5	999	939	48.5	455
Pointe Coupee	5,767	31.5	1,815	......	....	......	1,460	52.5	767	4,307	24.3	1,048
Rapides	17,651	52.8	9,309	8,354	67.0	5,598	4,593	47.8	2,194	4,704	32.2	1,517
Red River	3,896	30.3	1,180	......	....	......	862	58.6	505	3,034	22.2	675
Richland	7,112	35.6	2,549	......	....	......	1,895	60.5	1,146	5,217	26.9	1,403
Sabine	5,605	36.1	2,020	......	....	......	2,713	44.2	1,199	2,892	28.4	821
St. Bernard	1,779	61.4	1,093	......	....	......	1,589	60.4	961	190	69.5	132
St. Charles	2,895	49.8	1,441	......	....	......	2,371	53.1	1,259	524	34.7	182
St. Helena	2,215	30.3	672	......	....	......	316	45.3	143	1,899	27.9	529
St. James	3,799	33.4	1,270	......	....	......	2,449	36.1	885	1,350	28.5	385
St. John the Baptist	3,393	42.7	1,449	......	....	......	2,625	46.2	1,213	768	30.7	236
St. Landry	15,576	32.2	5,021	3,641	62.7	2,282	3,234	38.4	1,241	8,701	17.2	1,498
St. Martin	5,672	32.0	1,812	845	47.1	398	1,642	44.7	734	3,185	21.3	680
St. Mary	7,633	46.8	3,569	2,837	63.5	1,802	2,640	44.2	1,167	2,156	27.8	600
St. Tammany	5,974	52.8	3,158	1,852	69.7	1,292	2,758	46.1	1,271	1,364	43.6	595
Tangipahoa	11,363	44.8	5,089	2,788	59.4	1,655	2,696	54.7	1,474	5,879	33.3	1,960
Tensas	4,489	23.4	1,050	......	....	......	1,160	42.9	498	3,329	16.6	552
Terrebonne	8,152	44.1	3,590	2,250	69.4	1,561	3,344	38.8	1,297	2,558	28.6	732
Union	5,004	45.5	2,298	......	....	......	1,338	63.7	852	3,666	39.4	1,446
Vermillion	8,959	39.0	3,495	2,422	57.2	1,385	2,402	39.0	937	4,135	28.1	1,173
Vernon	4,765	42.3	2,019	817	60.3	492	1,625	41.0	666	2,323	37.0	861
Washington	8,583	52.7	4,526	4,030	68.1	2,743	1,033	57.0	589	3,520	33.9	1,194
Webster	8,430	51.0	4,295	2,636	67.5	1,780	2,074	66.3	1,374	3,720	30.7	1,141
West Baton Rouge	3,007	35.2	1,061	......	....	......	1,242	54.8	682	1,765	21.5	379
West Carroll	4,515	46.6	2,103	......	....	......	1,031	51.5	531	3,484	45.1	1,572
West Feliciana	2,182	21.8	473	......	....	......	681	36.8	250	1,501	14.9	223
Winn	4,180	40.9	1,731	1,280	61.5	787	1,041	29.9	312	1,859	34.0	632
State Total	592,528	53.3	315,261	262,927	72.6	190,789	136,615	52.5	71,689	192,986	27.3	52,783

Cities of 25,000 or More Population

City	Parishes	Units	% Radio	Radio Units
Alexandria	Rapides	7,276	65.6	4,773
Baton Rouge	East Baton Rouge	9,130	78.0	7,124
Monroe	Ouachita	7,897	69.4	5,497
New Orleans	Orleans	133,040	77.2	102,649
Shreveport	Caddo	26,909	76.3	20,534

NAB Research Department June 30, 1942

MARYLAND

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Allegany	21,842	88.9	19,427	13,245	92.6	12,265	7,237	86.5	6,261	1,360	66.3	901
Anne Arundel	15,115	82.9	12,527	2,564	88.1	2,259	9,843	86.2	8,483	2,708	65.9	1,785
Baltimore	37,533	94.2	35,341	7,582	97.4	7,383	24,662	95.3	23,491	5,289	84.5	4,467
Baltimore City	227,582	93.9	213,790	227,582	93.9	213,790	......	....	......	......	....	......
Calvert	2,382	53.9	1,286	......	....	......	905	68.1	616	1,477	45.4	670
Caroline	4,862	72.1	3,507	......	....	......	2,807	77.7	2,182	2,055	64.5	1,325
Carroll	9,493	85.2	8,090	1,440	94.8	1,365	4,553	86.5	3,940	3,500	79.6	2,785
Cecil	6,333	81.1	5,136	953	90.0	857	3,443	81.9	2,820	1,937	75.3	1,459
Charles	3,779	50.4	1,907	......	....	......	1,773	61.2	1,085	2,006	41.0	822
Dorchester	7,239	69.5	5,040	2,812	77.0	2,167	2,600	65.1	1,694	1,827	64.5	1,179
Frederick	14,306	82.5	11,793	5,243	90.5	4,744	4,971	78.9	3,923	4,092	76.4	3,126
Garrett	4,953	65.9	3,267	......	....	......	2,636	73.1	1,928	2,317	57.8	1,339
Harford	8,274	82.4	6,823	1,320	90.1	1,190	3,531	84.1	2,970	3,423	77.8	2,663
Howard	3,965	80.1	3,176	......	....	......	2,432	83.5	2,031	1,533	74.7	1,145
Kent	3,702	70.6	2,613	849	77.5	658	1,841	63.6	1,171	1,012	77.5	784
Montgomery	21,740	91.0	19,771	2,100	96.5	2,027	16,513	93.5	15,432	3,127	73.9	2,312
Prince Georges	21,353	85.3	18,216	4,883	97.3	4,753	13,179	88.0	11,600	3,291	56.6	1,863
Queen Annes	3,913	65.9	2,579	......	....	......	2,255	65.3	1,472	1,658	66.8	1,107
St. Marys	3,084	42.6	1,313	......	....	......	1,471	43.2	635	1,613	42.0	678
Somerset	5,544	63.5	3,521	1,115	71.1	793	2,806	61.5	1,726	1,623	61.7	1,002
Talbot	5,267	75.5	3,970	1,346	89.2	1,200	2,237	70.9	1,585	1,684	70.4	1,185
Washington	17,697	86.5	15,305	8,784	93.2	8,185	6,131	83.2	5,098	2,782	72.7	2,022
Wicomico	9,744	77.9	7,597	3,799	86.0	3,268	3,320	74.5	2,473	2,625	70.7	1,856
Worcester	5,981	69.4	4,169	888	84.2	748	2,966	68.8	2,039	2,127	65.0	1,382
State Total	465,683	88.1	410,164	286,505	93.4	267,652	124,112	84.4	104,655	55,066	68.7	37,857

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Baltimore	Baltimore City	227,582	93.9	213,790
Cumberland	Allegany	10,339	92.7	9,585
Hagerstown	Washington	8,784	93.2	8,185

NAB Research Department

June 29, 1942

MINNESOTA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Aitkin	4,668	81.2	3,791	......	....	......	1,500	83.0	1,245	3,168	80.4	2,546
Anoka	5,462	90.8	4,952	2,902	96.7	2,805	786	85.7	673	1,774	83.1	1,474
Becker	6,455	80.8	5,212	1,336	93.4	1,248	1,594	74.5	1,187	3,525	78.8	2,777
Beltrami	6,649	78.8	5,244	2,591	87.8	2,274	1,309	67.7	887	2,749	75.8	2,083
Benton	3,648	85.5	3,116	1,405	92.7	1,302	571	84.5	483	1,672	79.6	1,331
Big Stone	2,577	90.7	2,338	......	....	......	1,414	91.8	1,299	1,163	89.3	1,039
Blue Earth	9,657	91.6	8,845	4,314	94.1	4,057	1,888	88.1	1,664	3,455	90.4	3,124
Brown	6,468	92.0	5,953	3,221	91.4	2,944	1,084	90.9	985	2,163	93.5	2,024
Carlton	6,075	87.0	5,282	1,960	96.3	1,887	1,382	87.4	1,207	2,733	80.1	2,188
Carver	4,349	89.4	3,889	......	....	......	2,161	90.0	1,945	2,188	88.9	1,944
Cass	5,146	77.0	3,960	......	....	......	2,475	76.5	1,894	2,671	77.3	2,066
Chippewa	4,293	92.1	3,954	1,439	93.3	1,342	997	89.8	895	1,857	92.5	1,717
Chisago	3,629	85.1	3,088	......	....	......	1,473	89.7	1,321	2,156	82.0	1,767
Clay	6,229	90.9	5,661	2,512	94.7	2,378	1,552	87.2	1,353	2,165	89.1	1,930
Clearwater	2,790	78.1	2,178	......	....	......	827	78.5	649	1,963	77.9	1,529
Cook	794	77.2	613	......	....	......	604	78.9	476	190	72.0	137
Cottonwood	4,012	91.6	3,672	792	93.6	741	1,165	86.3	1,006	2,055	93.7	1,925
Crow Wing	7,884	88.2	6,954	4,044	92.4	3,737	1,607	84.9	1,364	2,233	83.0	1,853
Dakota	9,616	93.2	8,964	5,712	96.6	5,518	1,500	90.9	1,363	2,404	86.6	2,083
Dodge	3,315	88.9	2,946	......	....	......	1,402	89.9	1,260	1,913	88.1	1,686

MINNESOTA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Douglas	5,280	86.8	4,583	1,405	91.0	1,279	1,100	88.1	969	2,775	84.1	2,335
Faribault	6,123	91.6	5,608	1,047	94.1	986	2,237	90.5	2,025	2,839	91.5	2,597
Fillmore	6,878	85.2	5,859	......	....	......	3,360	85.6	2,877	3,518	84.8	2,982
Freeborn	8,200	92.1	7,551	3,373	95.3	3,215	1,572	89.3	1,404	3,255	90.1	2,932
Goodhue	8,363	90.9	7,607	2,789	94.9	2,646	2,229	91.0	2,027	3,345	87.7	2,934
Grant	2,479	90.2	2,236	......	....	......	1,065	91.4	973	1,414	89.3	1,263
Hennepin	162,179	96.3	156,235	150,291	96.6	145,244	7,219	94.8	6,844	4,669	88.8	4,147
Houston	3,777	86.6	3,269	......	....	......	1,768	86.4	1,527	2,009	86.7	1,742
Hubbard	2,874	76.9	2,209	694	85.2	591	549	72.3	397	1,631	74.9	1,221
Isanti	3,098	82.1	2,544	......	....	......	878	88.6	778	2,220	79.6	1,766
Itasca	8,478	83.3	7,061	1,279	94.2	1,205	3,808	85.9	3,271	3,391	76.2	2,585
Jackson	4,178	91.7	3,829	796	90.1	717	924	90.0	832	2,458	92.8	2,280
Kanabec	2,496	81.6	2,035	......	....	......	631	88.0	555	1,865	79.4	1,480
Kandiyohi	6,308	91.2	5,752	2,105	95.3	2,006	1,342	89.3	1,198	2,861	89.0	2,548
Kittson	2,532	84.8	2,146	......	....	......	1,029	84.7	871	1,503	84.8	1,275
Koochiching	4,497	78.0	3,507	1,480	89.2	1,320	1,378	77.1	1,062	1,639	68.6	1,125
Lac qui Parle	3,715	92.3	3,428	......	....	......	1,578	91.8	1,449	2,137	92.6	1,979
Lake	2,087	90.9	1,897	1,181	96.5	1,140	459	80.4	369	447	86.8	388
Lake of the Woods	1,501	76.6	1,150	......	....	......	550	83.3	458	951	72.7	692
Le Sueur	5,154	88.0	4,537	......	....	......	2,760	88.8	2,451	2,394	87.1	2,086
Lincoln	2,661	88.2	2,346	......	....	......	1,028	85.0	874	1,633	90.1	1,472
Lyon	5,343	91.2	4,876	2,056	94.1	1,935	1,205	87.5	1,054	2,082	90.7	1,887
McLeod	5,482	86.8	4,762	1,176	91.5	1,076	1,682	85.6	1,440	2,624	85.6	2,246
Mahnomen	1,780	76.3	1,358	......	....	......	745	75.6	563	1,035	76.8	795
Marshall	4,274	86.4	3,693	......	....	......	1,389	89.4	1,241	2,885	85.0	2,452
Martin	6,255	93.0	5,817	1,950	93.5	1,823	1,535	91.1	1,399	2,770	93.7	2,595
Meeker	4,756	89.5	4,256	1,103	93.0	1,026	1,011	86.9	879	2,642	89.0	2,351
Mille Lacs	4,133	80.9	3,344	......	....	......	1,885	82.1	1,547	2,248	79.9	1,797
Morrison	6,321	83.1	5,252	1,550	89.6	1,389	1,165	84.7	986	3,606	79.8	2,877
Mower	9,292	92.8	8,622	4,877	96.5	4,707	1,622	88.8	1,441	2,793	88.6	2,474
Murray	3,442	91.5	3,150	......	....	......	1,295	89.1	1,154	2,147	92.9	1,996
Nicollet	4,061	93.5	3,798	2,016	96.9	1,953	370	88.3	327	1,675	90.6	1,518
Nobles	5,264	93.1	4,901	1,630	95.4	1,555	1,339	89.6	1,199	2,295	93.6	2,147
Norman	3,593	86.7	3,114	......	....	......	1,403	87.6	1,229	2,190	86.1	1,885
Olmsted	10,275	92.8	9,532	6,303	96.8	6,103	1,241	86.0	1,068	2,731	86.4	2,361
Otter Tail	12,799	85.5	10,949	2,455	93.9	2,306	2,772	85.1	2,359	7,572	83.0	6,284
Pennington	3,188	88.8	2,829	1,571	91.8	1,442	307	83.4	256	1,310	86.3	1,131
Pine	5,490	80.9	4,439	......	....	......	1,753	86.7	1,519	3,737	78.1	2,920
Pipestone	3,416	92.3	3,155	1,255	92.5	1,161	818	91.2	746	1,343	92.9	1,248
Polk	9,185	88.1	8,092	2,739	93.7	2,568	1,805	86.0	1,552	4,641	85.6	3,972
Pope	3,327	89.8	2,986	696	94.0	655	735	88.4	649	1,896	88.7	1,682
Ramsey	86,251	96.6	83,335	82,100	96.7	79,394	3,240	96.1	3,113	911	90.9	828
Red Lake	1,696	83.1	1,410	......	....	......	640	85.1	544	1,056	82.0	866
Redwood	5,409	91.9	4,970	880	93.9	827	1,709	88.3	1,509	2,820	93.4	2,634
Renville	5,942	91.1	5,416	......	....	......	2,641	90.2	2,383	3,301	91.9	3,033
Rice	7,571	90.2	6,828	4,348	94.6	4,115	753	80.2	604	2,470	85.4	2,109
Rock	2,789	91.6	2,556	916	93.8	859	487	88.8	433	1,386	91.2	1,264
Roseau	3,618	79.6	2,881	......	....	......	1,160	80.8	937	2,458	79.1	1,944
St. Louis	56,623	91.9	52,062	41,607	95.5	39,739	7,009	86.1	6,035	8,007	78.5	6,288
Scott	3,675	84.5	3,103	......	....	......	1,997	86.7	1,731	1,678	81.8	1,372
Sherburne	2,339	82.7	1,936	208	92.3	192	773	89.1	689	1,358	77.7	1,055
Sibley	4,038	88.5	3,575	......	....	......	1,692	88.0	1,489	2,346	88.9	2,086
Stearns	14,288	88.7	12,669	5,284	94.9	5,012	4,128	86.2	3,560	4,876	84.0	4,097
Steele	4,998	92.1	4,603	2,318	94.1	2,181	695	91.0	633	1,985	90.1	1,789
Stevens	2,644	88.4	2,338	840	92.1	773	496	87.0	432	1,308	86.6	1,133
Swift	3,761	89.2	3,356	757	90.7	687	1,085	89.3	969	1,919	88.6	1,700
Todd	6,700	85.0	5,695	771	92.6	714	1,989	85.9	1,710	3,940	83.0	3,271
Traverse	2,033	92.4	1,878	......	....	......	932	91.4	851	1,101	93.3	1,027
Wabasha	4,590	87.9	4,035	971	90.3	876	1,845	89.5	1,651	1,774	85.0	1,508
Wadena	3,109	81.9	2,547	773	93.0	719	589	79.7	470	1,747	77.7	1,358
Waseca	3,914	90.0	3,525	1,227	93.1	1,143	843	89.2	752	1,844	88.4	1,630
Washington	6,852	91.9	6,301	2,378	96.4	2,291	2,409	93.4	2,250	2,065	85.2	1,760
Watonwan	3,559	92.5	3,291	936	95.5	894	1,018	91.2	928	1,605	91.5	1,469
Wilkin	2,433	91.1	2,215	706	94.9	670	496	89.7	445	1,231	89.4	1,100
Winona	9,990	90.1	8,998	6,271	92.2	5,782	1,549	87.5	1,356	2,170	85.7	1,860

MINNESOTA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Wright	7,085	85.1	6,026	......	....	......	2,786	89.2	2,485	4,299	82.4	3,541
Yellow Medicine	4,202	90.9	3,821	......	....	......	1,896	90.0	1,707	2,306	91.7	2,114
State Total	728,359	91.2	664,296	383,336	95.8	367,149	135,689	87.4	118,641	209,334	85.3	178,506

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Duluth	St. Louis	27,819	95.7	26,615
Minneapolis	Hennepin	142,834	96.6	137,922
Rochester	Olmsted	6,303	96.8	6,103
St. Paul	Ramsey	80,557	96.7	77,882

NAB Research Department July 1, 1942

NORTH CAROLINA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Almance	13,024	76.0	9,891	3,855	87.5	3,374	5,630	79.1	4,451	3,539	58.4	2,066
Alexander	2,890	56.5	1,633	......	....	......	822	69.7	573	2,068	51.2	1,060
Alleghany	1,988	44.2	878	......	....	......	321	53.9	173	1,667	42.3	705
Anson	5,977	47.5	2,842	880	70.3	619	1,497	60.2	901	3,600	36.7	1,322
Ashe	4,868	47.4	2,308	......	....	......	590	58.9	353	4,278	45.7	1,955
Avery	2,764	47.2	1,306	......	....	......	894	54.5	487	1,870	43.8	819
Beaufort	8,154	47.8	3,899	2,089	62.5	1,306	2,034	45.8	931	4,031	41.2	1,662
Bertie	5,353	43.8	2,349	......	....	......	1,695	56.4	956	3,658	38.1	1,393
Bladen	5,621	43.0	2,418	......	....	......	1,601	55.9	895	4,020	37.9	1,523
Brunswick	3,673	39.7	1,460	......	....	......	1,768	46.4	821	1,905	33.6	639
Buncombe	26,375	74.3	19,593	13,290	81.8	10,869	7,240	71.2	5,151	5,845	61.1	3,573
Burke	7,783	68.7	5,340	2,409	83.5	2,012	2,918	70.0	2,042	2,456	52.4	1,286
Cabarrus	13,176	80.0	10,537	3,783	84.9	3,211	6,642	86.3	5,730	2,751	58.0	1,596
Caldwell	7,617	64.2	4,890	1,809	76.0	1,374	2,773	67.3	1,865	3,035	54.4	1,651
Camden	1,271	52.9	672	......	....	......	512	52.9	271	759	52.8	401
Carteret	4,261	55.5	2,366	1,717	63.1	1,084	1,670	50.3	841	874	50.5	441
Caswell	3,916	46.7	1,831	......	....	......	627	65.2	409	3,289	43.2	1,422
Catawba	11,709	76.6	8,982	4,606	84.0	3,867	3,636	82.0	2,982	3,467	61.5	2,133
Chatham	5,368	55.7	3,000	......	....	......	1,903	69.3	1,320	3,465	48.5	1,680
Cherokee	4,021	49.0	1,970	......	....	......	1,638	64.3	1,054	2,383	38.4	916
Chowan	2,539	48.4	1,229	967	64.9	628	57	46.4	26	1,515	37.9	575
Clay	1,401	38.4	537	......	....	......	232	52.4	122	1,169	35.5	415
Cleveland	12,474	65.7	8,200	4,862	75.8	3,686	1,990	78.9	1,570	5,622	52.4	2,944
Columbus	9,798	45.8	4,500	717	76.2	547	2,363	44.5	1,051	6,718	43.2	2,902
Craven	7,367	50.2	3,702	3,147	59.4	1,868	1,664	45.3	754	2,556	42.3	1,080
Cumberland	11,960	52.6	6,299	4,174	62.9	2,625	3,860	58.6	2,262	3,926	36.0	1,412
Currituck	1,663	43.5	724	......	....	......	686	42.0	288	977	44.6	436
Dare	1,454	64.5	938	......	....	......	1,394	64.8	903	60	58.6	35
Davidson	12,029	75.3	9,057	4,995	81.0	4,046	2,971	77.3	2,297	4,063	66.8	2,714
Davie	3,320	63.1	2,100	......	....	......	1,260	76.1	959	2,060	55.4	1,141
Duplin	8,683	43.9	3,815	......	....	......	2,276	54.1	1,231	6,407	40.3	2,584
Durham	19,898	76.7	15,275	15,277	80.4	12,284	2,706	76.9	2,080	1,915	47.6	911
Edgecomb	10,333	55.1	5,696	4,621	75.3	3,480	1,048	48.6	510	4,664	36.6	1,706
Forsyth	30,800	75.8	23,338	20,177	76.1	15,347	6,815	80.6	5,495	3,808	65.6	2,496
Franklin	6,522	43.5	2,838	......	....	......	1,972	55.3	1,090	4,550	38.4	1,748
Gaston	19,529	77.0	15,029	7,631	81.2	6,196	9,125	80.3	7,323	2,773	54.5	1,510
Gates	2,124	41.0	871	......	....	......	492	48.0	236	1,632	38.9	635
Graham	1,316	41.7	548	......	....	......	500	44.7	223	816	39.9	325
Granville	6,189	45.5	2,841	953	78.4	747	1,116	58.5	653	4,120	35.0	1,441
Green	3,556	58.6	2,086	......	....	......	453	70.2	318	3,103	57.0	1,768
Guilford	36,842	80.2	29,540	24,224	83.5	20,219	7,159	80.9	5,791	5,459	64.7	3,530
Halifax	11,446	44.7	5,100	2,623	76.8	2,013	3,504	47.7	1,672	5,319	26.6	1,415
Harnett	9,205	56.1	5,177	1,284	69.8	896	2,384	68.4	1,630	5,537	47.9	2,651
Haywood	7,651	59.9	4,574	1,974	84.3	1,664	2,553	58.4	1,491	3,124	45.4	1,419
Henderson	6,363	67.0	4,268	1,466	77.6	1,138	2,271	71.4	1,622	2,626	57.4	1,508

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Hertford	4,024	48.0	1,942	......	....	......	1,595	63.5	1,013	2,429	38.3	929
Hoke	2,900	45.2	1,306	......	....	......	717	63.1	452	2,183	39.1	854
Hyde	1,720	39.7	683	......	....	......	669	43.1	289	1,051	37.5	394
Iredell	11,438	68.4	7,817	4,517	79.9	3,610	2,266	70.9	1,606	4,655	55.9	2,601
Jackson	4,008	42.9	1,721	......	....	......	1,217	55.0	670	2,791	37.7	1,051
Johnston	13,813	52.4	7,235	924	69.2	640	3,582	58.6	2,098	9,307	48.3	4,497
Jones	2,185	42.4	924	......	....	......	585	47.3	276	1,600	40.5	648
Lee	4,148	68.5	2,836	1,217	83.9	1,021	971	63.5	617	1,960	61.1	1,198
Lenoir	8,860	61.2	5,411	3,698	70.6	2,611	936	62.0	581	4,226	52.5	2,219
Lincoln	5,190	67.3	3,494	1,119	78.8	882	1,402	72.0	1,010	2,669	60.0	1,602
McDowell	5,015	59.9	2,996	713	89.2	636	2,978	60.6	1,804	1,324	42.0	556
Macon	3,489	43.0	1,498	......	....	......	1,148	51.0	585	2,341	39.0	913
Madison	4,846	43.8	2,120	......	....	......	880	63.9	562	3,966	39.3	1,558
Martin	5,144	43.8	2,259	940	52.3	492	1,065	56.4	601	3,139	37.1	1,166
Mecklenburg	36,320	76.5	27,785	24,966	79.3	19,794	6,764	82.0	5,548	4,590	53.2	2,443
Mitchell	3,392	58.5	1,984	......	....	......	1,116	67.5	754	2,276	54.0	1,230
Montgomery	3,593	55.7	2,002	......	....	......	1,933	64.4	1,245	1,660	45.6	757
Moore	6,719	56.8	3,816	876	70.0	614	3,042	61.3	1,863	2,801	47.8	1,339
Nash	11,780	54.4	6,394	3,287	72.0	2,367	2,136	60.5	1,292	6,357	43.0	2,735
New Hanover	12,054	68.3	8,230	8,577	68.5	5,874	2,886	68.9	1,989	591	62.1	367
Northampton	5,622	36.3	2,045	......	....	......	1,808	51.1	925	3,814	29.4	1,120
Onslow	3,777	41.7	1,579	......	....	......	1,060	51.1	541	2,717	38.2	1,038
Orange	5,239	66.3	3,474	975	92.9	905	1,876	71.7	1,345	2,388	51.3	1,224
Pamlico	2,170	39.4	856	......	....	......	1,306	36.3	474	864	44.2	382
Pasquotank	4,867	63.8	3,107	2,901	72.5	2,104	777	58.8	457	1,189	45.9	546
Pender	3,754	39.6	1,487	......	....	......	1,438	38.4	552	2,316	40.4	935
Perquimans	2,269	45.4	1,030	......	....	......	770	50.6	390	1,499	42.7	640
Person	5,113	52.7	2,697	1,078	74.3	801	726	70.9	515	3,309	41.7	1,381
Pitt	12,733	54.8	6,977	3,825	70.8	2,710	2,056	59.7	1,227	6,852	44.4	3,040
Polk	2,679	57.9	1,548	......	....	......	1,231	72.6	893	1,448	45.3	655
Randolph	10,318	68.4	7,042	1,764	82.1	1,449	3,843	76.7	2,948	4,711	56.1	2,645
Richmond	8,094	59.7	4,832	2,256	72.1	1,626	3,483	66.2	2,304	2,355	38.3	902
Robeson	15,741	44.7	7,062	1,430	72.5	1,037	4,833	54.5	2,636	9,478	35.8	3,389
Rockingham	12,923	70.3	9,072	2,558	77.1	1,972	5,768	75.3	4,341	4,597	60.0	2,759
Rowan	16,336	79.8	13,032	5,765	85.7	4,941	6,890	83.0	5,715	3,681	64.6	2,376
Rutherford	9,981	65.0	6,476	2,081	76.6	1,594	3,419	74.0	2,530	4,481	52.5	2,352
Sampson	9,766	44.8	4,377	919	66.4	610	1,346	49.4	665	7,501	41.4	3,102
Scotland	4,917	45.9	2,223	1,462	60.7	887	1,012	63.1	639	2,443	28.5	697
Stanly	7,575	74.2	5,611	1,030	91.4	942	3,966	79.9	3,169	2,579	58.2	1,500
Stokes	4,838	55.7	2,694	......	....	......	680	72.4	492	4,158	53.0	2,202
Surry	9,190	62.6	5,744	2,088	85.7	1,789	2,471	67.0	1,655	4,631	49.7	2,300
Swain	2,505	38.5	967	......	....	......	807	56.2	454	1,698	30.2	513
Transylvania	2,663	62.9	1,673	712	82.3	586	621	64.2	399	1,330	51.7	688
Tyrrell	1,210	48.6	588	......	....	......	432	49.3	213	778	48.2	375
Union	8,508	61.0	5,200	1,654	68.3	1,130	1,297	74.2	963	5,557	55.9	3,107
Vance	6,394	53.5	3,422	1,834	70.8	1,298	1,828	65.7	1,200	2,732	33.8	924
Wake	24,330	70.0	17,024	10,557	86.1	9,091	6,569	69.2	4,546	7,204	47.0	3,387
Warren	4,532	32.7	1,488	......	....	......	1,523	51.1	778	3,009	23.6	710
Washington	2,604	47.2	1,228	......	....	......	1,419	51.0	724	1,185	42.5	504
Watauga	3,846	53.3	2,055	......	....	......	1,021	73.3	749	2,825	46.2	1,306
Wayne	12,019	57.7	6,937	4,864	67.1	3,266	1,447	63.5	918	5,708	48.2	2,753
Wilkes	9,049	46.9	4,249	998	77.4	773	1,775	63.7	1,131	6,276	37.4	2,345
Wilson	11,061	58.2	6,449	4,802	67.4	3,234	1,283	59.0	756	4,976	49.4	2,459
Yadkin	4,542	59.2	2,693	......	....	......	1,230	69.0	848	3,312	55.7	1,845
Yancey	3,585	42.3	1,515	......	....	......	542	52.7	285	3,043	40.4	1,230
State Total	789,659	61.8	487,353	239,917	77.7	186,386	217,703	67.6	147,035	332,039	46.4	153,932

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Asheville	Buncombe	13,290	81.8	10,869
Charlotte	Mecklenburg	24,966	79.3	19,794
Durham	Durham	15,277	80.4	12,284
Greensboro	Guilford	14,598	87.1	12,720
High Point	Guilford	9,626	78.0	7,505
Raleigh	Wake	10,557	86.1	9,091
Rocky Mount	Nash	6,230	76.3	4,752
Wilmington	New Hanover	8,577	68.5	5,874
Winston-Salem	Forsyth	20,177	76.1	15,347

NAB Research Department

June 30, 1942

OREGON

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Baker	5,406	83.7	4,525	2,838	87.7	2,488	1,225	78.2	958	1,343	80.3	1,079
Benton	5,669	87.9	4,978	2,726	94.8	2,585	1,166	85.9	1,001	1,777	78.4	1,392
Clackamas	17,669	88.9	15,704	1,977	93.9	1,856	9,320	91.3	8,507	6,372	83.8	5,341
Clatsop	7,605	88.7	6,746	4,328	91.4	3,957	2,382	86.4	2,059	895	81.6	730
Columbia	6,240	86.5	5,399	1,309	95.6	1,251	2,706	86.4	2,337	2,225	81.4	1,811
Coos	10,177	84.5	8,601	4,185	91.3	3,821	3,732	81.0	3,021	2,260	77.8	1,759
Crook	1,585	83.4	1,320	......	....	......	977	85.7	837	608	79.5	483
Curry	1,412	72.8	1,027	......	....	......	950	72.3	687	462	73.7	340
Deschutes	5,543	86.0	4,770	2,973	92.4	2,747	1,394	81.9	1,141	1,176	75.0	882
Douglas	7,872	82.9	6,526	1,588	92.7	1,472	3,277	80.4	2,636	3,007	80.4	2,418
Gilliam	815	83.1	677	......	....	......	478	86.1	411	337	79.0	266
Grant	1,931	83.2	1,607	......	....	......	1,297	81.9	1,063	634	85.8	544
Harney	1,630	82.3	1,341	841	86.8	730	316	81.9	259	473	74.5	352
Hood River	3,408	88.8	3,025	1,000	92.7	927	831	84.7	704	1,577	88.4	1,394
Jackson	11,396	87.0	9,916	5,279	92.2	4,866	3,177	82.0	2,606	2,940	83.1	2,444
Jefferson	630	76.3	481	......	....	......	355	80.1	284	275	71.7	197
Josephine	5,320	78.4	4,170	1,985	85.6	1,700	1,352	68.8	931	1,983	77.6	1,539
Klamath	11,977	87.6	10,499	5,056	91.3	4,614	5,023	85.3	4,285	1,898	84.3	1,600
Lake	1,926	81.1	1,563	......	....	......	1,345	83.2	1,118	581	76.6	445
Lane	20,922	87.4	18,295	8,591	93.3	8,019	7,131	84.5	6,029	5,200	81.7	4,247
Lincoln	4,711	76.8	3,619	......	....	......	3,577	80.5	2,880	1,134	65.2	739
Linn	9,135	82.0	7,494	2,733	91.5	2,501	2,498	80.6	2,013	3,904	76.3	2,980
Malheur	5,196	79.2	4,117	1,001	87.2	873	1,385	79.9	1,107	2,810	76.1	2,137
Marion	20,862	90.4	18,866	9,838	93.4	9,186	4,984	89.5	4,459	6,040	86.4	5,221
Morrow	1,243	82.6	1,026	......	....	......	613	85.5	524	630	79.7	502
Multnomah	117,267	93.8	110,049	102,063	93.9	95,849	12,521	94.8	11,872	2,683	86.8	2,328
Polk	5,867	84.3	4,950	1,084	91.8	995	2,346	87.0	2,041	2,437	78.5	1,914
Sherman	747	87.4	653	......	....	......	358	89.1	319	389	86.0	334
Tillamook	3,714	84.9	3,152	860	90.4	778	1,742	84.1	1,465	1,112	81.8	909
Umatilla	7,451	85.0	6,334	2,377	90.2	2,143	2,337	83.9	1,962	2,737	81.4	2,229
Union	5,316	87.2	4,638	2,480	89.5	2,221	1,483	87.8	1,302	1,353	82.4	1,115
Wallowa	2,172	83.5	1,814	......	....	......	1,091	87.6	956	1,081	79.4	858
Wasco	4,017	84.9	3,410	2,051	91.4	1,875	829	78.5	651	1,137	77.7	884
Washington	11,890	86.9	10,331	1,228	90.9	1,117	5,656	88.0	4,976	5,006	84.7	4,238
Wheeler	888	77.3	684	......	....	......	570	80.6	459	318	70.7	225
Yamhill	7,883	87.8	6,919	2,169	93.5	2,028	2,243	87.0	1,951	3,471	84.7	2,940
State Total	337,492	88.7	299,226	172,560	93.1	160,599	92,667	86.1	79,811	72,265	81.4	58,816

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Portland	Multnomah	102,063	93.9	95,849
Salem	Marion	8,901	93.5	8,321

NAB Research Department

June 26, 1942

WEST VIRGINIA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Barbour	4,866	64.0	3,111	......	....	......	2,591	69.4	1,798	2,275	57.7	1,313
Berkeley	7,526	82.4	6,199	4,138	90.3	3,735	1,968	75.0	1,476	1,420	69.6	988
Boone	6,035	67.7	4,086	......	....	......	4,898	70.7	3,463	1,137	54.8	623
Braxton	4,672	49.1	2,293	......	....	......	1,563	63.1	986	3,109	42.0	1,307
Brooke	6,208	87.8	5,449	3,330	93.6	3,116	2,384	81.7	1,947	494	78.2	336

WEST VIRGINIA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Cabell	25,104	82.8	20,785	20,131	87.0	17,518	2,174	76.8	1,669	2,799	57.1	1,598
Calhoun	2,604	55.5	1,446	......	....	......	530	77.0	408	2,074	50.0	1,038
Clay	3,042	49.6	1,507	......	....	......	1,577	59.1	931	1,465	39.3	576
Doddridge	2,611	62.2	1,621	......	....	......	850	76.2	648	1,761	55.3	973
Fayette	17,874	77.4	13,841	1,432	91.5	1,311	14,000	78.4	10,970	2,442	63.9	1,560
Gilmer	2,708	54.3	1,472	......	....	......	853	66.0	563	1,855	49.0	909
Grant	2,018	62.0	1,252	......	....	......	875	70.4	616	1,143	55.6	636
Greenbrier	8,682	69.3	6,018	......	....	......	5,490	76.4	4,196	3,192	57.1	1,822
Hampshire	3,015	64.5	1,952	......	....	......	1,006	75.7	761	2,009	59.3	1,191
Hancock	7,556	91.9	6,947	1,956	95.9	1,875	4,989	91.9	4,587	611	79.4	485
Hardy	2,306	58.1	1,339	......	....	......	828	68.3	566	1,478	52.3	773
Harrison	20,628	80.8	16,666	9,658	90.7	8,763	8,074	73.7	5,952	2,896	67.4	1,951
Jackson	3,932	65.2	2,563	......	....	......	1,251	75.8	949	2,681	60.2	1,614
Jefferson	4,104	75.2	3,086	837	79.1	662	2,079	75.9	1,578	1,188	71.2	846
Kanawha	46,852	82.3	38,591	23,598	90.8	21,427	19,124	76.2	14,576	4,130	62.7	2,588
Lewis	5,097	73.6	3,756	1,758	88.9	1,562	1,361	72.2	983	1,978	61.2	1,211
Lincoln	4,671	43.4	2,028	......	....	......	1,615	51.0	824	3,056	39.4	1,204
Logan	14,127	72.0	10,169	1,245	89.8	1,118	11,828	73.2	8,654	1,054	37.7	397
McDowell	20,022	75.3	15,062	2,203	85.8	1,890	16,184	76.9	12,438	1,635	44.9	734
Marion	17,182	83.4	14,334	7,011	90.6	6,354	7,455	82.9	6,180	2,716	66.3	1,800
Marshall	9,486	80.4	7,628	4,928	88.6	4,366	2,492	78.6	1,960	2,066	63.0	1,302
Mason	5,241	58.8	3,076	960	80.1	769	1,354	66.6	902	2,927	48.0	1,405
Mercer	15,575	80.0	12,458	7,095	89.2	6,332	5,215	77.0	4,017	3,265	64.6	2,109
Mineral	5,469	79.5	4,346	2,327	91.0	2,118	1,954	74.6	1,459	1,188	64.7	769
Mingo	8,702	62.4	5,439	2,027	76.0	1,541	4,828	64.0	3,088	1,847	43.9	810
Monongalia	13,138	79.9	10,502	4,724	91.5	4,321	6,251	74.7	4,670	2,163	69.8	1,511
Monroe	2,926	66.9	1,958	......	....	......	740	71.0	526	2,186	65.5	1,432
Morgan	2,151	75.7	1,630	......	....	......	1,283	80.5	1,033	868	68.8	597
Nicholas	5,072	58.1	2,949	1,184	84.5	1,001	1,307	52.9	692	2,581	48.6	1,256
Ohio	19,437	92.0	17,881	16,555	93.0	15,401	2,346	87.2	2,047	536	80.9	433
Pendleton	2,169	62.2	1,351	......	....	......	494	68.6	339	1,675	60.4	1,012
Pleasants	1,666	81.4	1,357	......	....	......	907	86.0	780	759	76.1	577
Pocahontas	3,067	60.5	1,855	......	....	......	1,472	68.2	1,004	1,595	53.4	851
Preston	7,137	66.8	4,774	......	....	......	4,098	73.7	3,020	3,039	57.7	1,754
Putnam	4,392	62.2	2,735	263	95.3	251	1,619	75.1	1,216	2,510	50.5	1,268
Raleigh	18,907	78.7	14,873	3,256	88.3	2,875	12,648	80.7	10,203	3,003	59.8	1,795
Randolph	6,865	73.2	5,026	2,128	89.5	1,904	2,474	68.8	1,702	2,263	62.7	1,420
Ritchie	3,885	65.2	2,534	......	....	......	1,749	75.2	1,316	2,136	57.0	1,218
Roane	4,430	56.8	2,519	......	....	......	1,500	70.6	1,060	2,930	49.8	1,459
Summers	4,672	64.0	2,983	1,591	84.9	1,351	751	60.2	452	2,330	50.7	1,180
Taylor	4,877	74.7	3,647	2,018	87.4	1,764	1,652	68.5	1,132	1,207	62.3	751
Tucker	3,022	70.6	2,132	......	....	......	2,130	78.9	1,680	892	50.6	452
Tyler	3,260	70.4	2,296	786	87.2	685	948	74.8	709	1,526	59.1	902
Upshur	4,585	64.6	2,969	1,293	87.2	1,127	940	57.4	540	2,352	55.3	1,302
Wayne	7,735	60.0	4,629	1,813	87.4	1,585	2,391	59.7	1,429	3,531	45.7	1,615
Webster	3,783	59.7	2,260	......	....	......	1,959	71.7	1,404	1,824	46.9	856
Wetzel	5,371	66.6	3,577	937	88.5	829	2,398	71.3	1,711	2,036	50.9	1,037
Wirt	1,565	52.8	827	......	....	......	459	65.1	299	1,106	47.8	528
Wood	16,598	85.7	14,234	8,641	91.4	7,896	5,214	85.7	4,466	2,743	68.2	1,872
Wyoming	6,190	68.2	4,221	733	88.9	651	3,651	73.7	2,690	1,806	48.7	880
State Total	444,815	75.1	331,239	140,556	89.7	126,098	192,771	75.4	145,265	111,488	56.4	62,876

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Charleston	Kanawha	17,950	89.8	16,120
Clarksburg	Harrison	8,245	91.7	7,560
Huntington	Cabell	20,939	87.3	18,272
Parkersburg	Wood	8,641	91.4	7,896
Wheeling	Ohio	16,555	93.0	15,401

NAB Research Department

June 30, 1942

FEDERAL COMMUNICATIONS COMMISSION

FLY SAYS WPB AGREES TO EQUIPMENT POOL

WPB officials have agreed "in principle" on the equipment pool for broadcasting stations, FCC Chairman James Lawrence Fly told his press conference on Monday. Up to this time that is the only official statement that has been made that WPB officials were in favor of such a movement.

"On the principle of the thing it is agreed," said the Chairman, "and from here on out we will be discussing ways and means."

The Chairman told the conference that he does not think that if available spare parts and materials were not placed in such a pool that at the end of one calendar year only about 27% of the broadcasting stations of the country would be in operation.

"That's a pretty ominous prospect," he said, "and that is why it is to the interest of all of us that are interested in seeing radio do the big job it is doing."

FLY CONFIRMED

On Monday of this week the Senate confirmed the nomination of James Lawrence Fly to succeed himself as a member of the Federal Communications Commission.

TRANSFER APPROVED

FCC this week granted the application of the Buffalo Evening News to transfer station WEBR, Buffalo, N. Y., to the Buffalo Courier Express. Commissioner Payne did not participate in the opinion.

The Commission's memorandum opinion in this case was as follows:

This is an application for Commission consent to the voluntary transfer of control of WEBR, Inc., licensee of Station WEBR, Buffalo, New York, from Edward H. Butler and Marjorie Mitchell Baird, individually, and Edward H. Butler, as trustee under the last will and testament of Edward H. Butler, deceased, doing business as Buffalo Evening News, to Paul E. Fitzpatrick and Buffalo Courier-Express, Inc. In effect, the proposal is to transfer control of WEBR from the present stockholders, who now control two (WEBR and WBEN) of the five broadcast stations, and one of the two daily newspapers in Buffalo, New York, to the remaining daily newspaper which now has no broadcast station interests.

On March 20, 1941 the Commission adopted Order No 79 directing an investigation "to determine what statement of policy or rules, if any, should be issued concerning applications for high frequency broadcast stations (FM) with which are associated persons also associated with the publication of one or more newspapers, and that such investigation also include consideration of statement of policy or rules, if any, which should be issued concerning future acquisition of standard broadcast stations by newspapers." On April 26, 1941, the Commission announced its policy of placing in its pending files all applications by newspaper interests for new standard broadcast stations as well as applications for transfer of control of existing standard broadcast facilities to newspaper interests, pending determination of the general question of newspaper control of broadcast facilities.

The Commission in recent years has followed the policy of not creating, by the grant of applications, any situation where the same interest would control more than one standard broadcast station in the same primary service area.

While the instant proposal involves the acquisition of control of a broadcast station by newspaper interests, there are factors which impel the Commission to give consideration to other points involved in the proposal. The licensee is presently controlled by a newspaper, the Buffalo Evening News. The granting of the application would eliminate multiple ownership by the News over broadcast facilities in the Buffalo area and would alleviate the concentration of control by the News over facilities for public expression and the moulding of public opinion in the community. It would, at the same time, make for a better balance of competition between the two Buffalo newspaper interests. The advantages to be attained through the proposed transfer lead us to the conclusion that public interest will be served through the granting of this application subject, however, to the express condition that this action is without prejudice to the application to the licensee of any report, policy, rule or regulation which may result from the proceedings under Order No. 79.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 6. They are subject to change.

Monday, July 6

Further Hearing

NEW—Beauford H. Jester, individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Texas.—C. P., **1230 kc.,** 250 watts, unlimited.

Tuesday, July 7

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—C. P., **1070 kc.,** 5 KW night, 10 KW day, unlimited, DA-night.

Wednesday, July 8

Oral Argument Before the Commission

Report No. B-151:
WSAM—Saginaw Broadcasting Co., Saginaw, Mich.—Modification of license, **1400 kc.,** 250 watts, unlimited.

Wednesday, July 8

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—C. P., **580 kc.,** 1 KW, DA-night, unlimited.

NEW—Mosby's Inc., Anaconda, Mont.—C. P., **1230 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Granted special service authorization for changes in directional antenna to relax minima in direction of KTHS, Hot Springs, Ark., to 65 mv./m. (B1-SSA-37).

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Cal.—Granted construction permit (B5-P-3472) to move transmitter and studio location.

WCOS—Carolina Advertising Corp. (Assignor), Carolina Broadcasting Corp. (Assignee), Columbia, S. C.—Granted consent to assignment of license for station WCOS from Carolina Advertising Corp. to Carolina Broadcasting Corp., for a total consideration of $72,000.

WLIB—Arthur Faske, Assignor, WLIB, Inc., Assignee, Brooklyn, N. Y.—Granted consent to assignment of license and construction permit for station WLIB (formerly WCNW), from the present individual licensee, Arthur Faske, to a newly organized corporation, WLIB, Inc. (B1-APL-14).

Philco Radio and Television Corp., Philadelphia, Pa.—Granted construction permit (B2-PVB-89) for an experimental relay television broadcast station to be located between Wyndmoor, Pa., and New York City, and to be used for relaying television programs originated by the NBC station WNBT in New York to applicant's main television broadcast station WPTZ, for rebroadcasting. Channels 13 and 14 (230,000-242,000), 15 watts.

Mosby's, Inc., Anaconda, Mont.—Granted motion to dismiss without prejudice application for construction permit (B5-P-2694) for new station.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Granted request for dismissal of application for modification of construction permit for extension of commencement and completion dates (B2-MP-1489).

WHAL—Harold F. Gross & Edmund C. Shields, Saginaw, Mich.—Granted request for dismissal of application for modification of construction permit (B2-MB-1541), for extension of commencement and completion dates.

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Granted modification (B2-MPCT-15) of construction permit (B2-PCT-4) authorizing new commercial television station, for move of transmitter, make changes in antenna system, increase ESR to 1000, and for extension of completion date.

Philco Radio and Television Corp., Philadelphia, Pa.—Granted construction permit (B2-PVB-90) for new experimental television relay station; Channels 13 and 14, **230,000-242,000 kc.,** power 15 watts.

W2XGI—General Electric Co., Schenectady, N. Y.—Granted authority to cancel the outstanding construction permit (B1-PVB-91) of experimental television relay broadcast station W2XGI, and to delete the call letters.

DESIGNATED FOR HEARING

WDAE—Tampa Times Co., Tampa, Fla.—Designated for hearing application for construction permit (B3-P-3487) to change frequency to **770 kc.,** and make changes in directional antenna for night use only.

MISCELLANEOUS

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted license (B1-L-1638) to cover construction permit (B1-P-2201) for new equipment, directional antenna, increase in power and change in hours of operation; also authority to determine operating power by direct measurement of antenna power. (B1-Z-01372.)

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted license (B1-L-1655) to use old Western Electric main transmitter as auxiliary transmitter, with power of 1 KW, for emergency use only. Also granted authority to determine operating power by direct measurement of antenna power for auxiliary transmitter. (B1-Z-1404.)

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Granted license (B3-L-1670) to cover construction permit (B3-P-3488, which authorized rebuilding of station destroyed by fire, and move studio); also authority to determine operating power by direct measurement of antenna power. (B3-Z-1409.)

WELL—Federated Publications, Inc., Battle Creek, Mich.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1403.)

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1412.)

WREN—The WREN Broadcasting Co., Lawrence, Kans.—Granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1408.)

KWHB—Topeka Broadcasting Association, Inc., Portable-Mobile, Area of Topeka, Kans.—Granted license (B4-LRE-410) to cover construction permit (B4-PRE-408) which authorized changes in equipment and increase in power to 15 watts in relay broadcast station used with applicant's standard station WIBW.

KSEE—Earle C. Anthony, Inc., Los Angeles, Calif.—Cancelled outstanding construction permit, File No. B5-MPCT-5, for commercial television broadcast station KSEE, and deleted the call letters.

WSAM—Saginaw Broadcasting Co., Saginaw, Mich.—Schedules for oral argument on July 8, 1942, in re application for modification of license. (Docket No. 6127.)

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Denied application (B2-MPVB-79) for extension of completion date for experimental television broadcast station to September 28, 1942.

WDAE—Tampa Times Company, Tampa, Fla.—Denied Special Service Authorization to operate on **770 kc.,** unlimited time, with directional antenna night. (B3-SSA-35.)

APPLICATIONS FILED AT FCC

560 Kilocycles

WIS—Surety Life Insurance Co., Columbia, S. Car.—Modification of construction permit (B3-P-2870 which authorized changes in directional antenna for night use and increase in night power) for extension of completion date from 6-25-42 to 9-25-42.

710 Kilocycles

KMPC—KMPC, The Station of the Stars, Inc.—Modification of construction permit (B5-P-2804) as modified, for move of transmitter, increase in power, new transmitter, directional antenna day and night, requesting extension completion date from 7-2 to 8-2-42.

790 Kilocycles

WGRC—North Side Broadcasting Corp., New Albany, Ind.—Construction permit to change frequency from **1080** to **790 kc.,** power from 250 watts to 1 KW night, 5 KW day, install new directional antenna and change type of transmitter and move transmitter. Amended: to change power to 1 KW day and night, change type of transmitter and employing directional antenna day and night.

910 Kilocycles

WRNL—Richmond Radio Corp., Richmond, Va.—Construction permit to make changes in directional antenna for night use.

980 Kilocycles

WSIX—WSIX, Inc., Nashville, Tenn.—License to cover construction permit (B3-P-3053) as modified to install new transmitter, directional antenna for night use, increase power, change frequency and move transmitter.

WSIX—WSIX, Inc., Nashville, Tenn.—Authority to determine operating power by direct method.

1300 Kilocycles

KGLO—Mason City Globe Gazette Co., Mason City, Iowa—Modification of construction permit (B4-P-3269 which authorized changes in directional antenna, install new transmitter and increase in power) for change in type of transmitter and extension of commencement and completion dates.

1340 Kilocycles

WEBR—WEBR, Incorporated, Buffalo, N. Y.—Construction permit for booster station to be operated on **1340 kc.,** 100 watts, night time only.

1360 Kilocycles

WSAI—The Crosley Corp., Cincinnati, Ohio—Modification of construction permit (B2-MP-1247 which authorized increase in power, installation of directional antenna for night use and move transmitter) for extension of completion date from 7-26-42 to 1-27-43.

WSAI—The Crosley Corp., Cincinnati, Ohio—Modification of construction permit (B2-MP-1247 which authorized construction of 100 watt amplifier for daytime use) for extension of completion date from 7-26-42 to 1-27-43.

1400 Kilocycles

KFVS—Oscar C. Hirsch, treas., Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Construction permit to make changes in equipment.

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Modification of license to change hours from share KEVR to unlimited. Amended: to change name from Lee E. Mudgett and change from application for construction permit B5-P-2027 to one for modified license.

1450 Kilocycles

WOC—The Tri-City Broadcasting Co., Davenport, Iowa—Modification of construction permit (B4-P-2288) as modified, for change in frequency, increase power, move transmitter, install new transmitter and directional antenna for day and night, requesting extension of completion date from 7-19-42 to 9-19-42.

MISCELLANEOUS APPLICATIONS

NEW—Burns Avenue Baptist Church, Detroit, Mich.—Extension of authority to transmit programs from Burns Avenue Baptist Church to Radio Station CKLW, Windsor Ontario, Canada.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, New York—Construction permit for reinstatement of ST construction permit for new station on **331000 kc.**, 50 watts.

NEW—Frontier Broadcasting Co., Portable-Mobile, area of Cheyenne, Wyo.—Construction permit for new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 15 watts, A3 Emission.

NEW—Frontier Broadcasting Co., Portable-Mobile, area of Cheyenne, Wyo.—Construction permit for new relay broadcast station to be operated on **30820, 33740, 35820, 37980 kc.**, 15 watts, A3 Emission.

NEW—National Broadcasting Co., Inc., Portable or Portable-Mobile, area of Los Angeles, Calif.—Construction permit for new relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.**, 25 watts, A3 Emission. To be used with KPO.

NEW—National Broadcasting Co., Inc., Portable or Portable-Mobile, area of Los Angeles, Calif.—Construction permit for new relay broadcast station to be operated on **1606, 2074, 2102, 2758 kc.**, 75 watts, A1, A2, A3 Emission. To be used with KPO.

NEW—National Broadcasting Co., Inc., near Addison, Ill.—Construction permit for new relay broadcast station to be operated on **1606, 2074, 2102, 2758 kc.**, 1 KW, A1, A2, A3 Emission.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Garment Box Manufacturers Association, New York, whose members are alleged to assemble and sell a substantial part of the national production of garment boxes used by the wholesale and retail garment trade, also seven of its officials, and 24 of its member box companies, are charged with a price-fixing combination and conspiracy, in a complaint. (4777)

National Retail Tea & Coffee Merchants Association, Inc., 1441 Merchandise Mart, Chicago, Oliver J. Corbett, its secretary, two members, and five sellers or distributors of tea, coffee, toilet preparations and household specialities, are charged in a complaint with a combination and conspiracy to restrain trade in the sale of their products. (4776)

Rub-R-Lyfe Co., Seattle, Wash., engaged in the sale of a preparation for the treatment of rubber products, is charged in a complaint with misrepresentation. (4775)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Autogroom Company—Prohibiting misleading and deceptive representations concerning a competitor's product and business, a cease and desist order has been issued against Mathew W. M. Devitt, Roy D. Schlegel, and Robert E. Sargent, trading as Autogroom Co., who have places of business in New York and Washington, D. C., and a plant in Long Island City, N. Y., for the manufacture of an automobile cleaner and polisher designated "Auto-Groom." (3702)

H & H Hat Company—Daniel Hechtman and Steve Moore, trading as H & H Hat Co., 1351 Milwaukee Ave., Chicago, has been ordered to cease and desist from misrepresentations in violation of the Federal Trade Commission and Wool Products Labeling Acts in connection with the sale of women's hats. (4633)

Robert W. Irwin Co., 23 Sumner Ave., Grand Rapids, Mich., household furniture manufacturer, has been ordered to cease and desist from representing that furniture made from a combination of walnut wood and pecan wood is made from walnut, and to cease using the words "Wood: Walnut" or the word "Walnut" to refer to furniture not composed wholly of the wood commonly known as walnut. (4701)

Lasher's Silk Manufacturing Co., Inc., 545 Eighth Ave., New York, has been ordered to cease and desist from misrepresentation in the sale of ribbon seam binding material. The respondent company operates a manufacturing plant in Bethlehem, Pa. (4612)

Montgomery, Ward & Co., Chicago, has been ordered to cease and desist from misrepresentation in the sale of devices for use by women in attempting to reduce body weight. (4447)

Plant Products Co., Inc., 1 Toluca State Drive, North Hollywood, Calif., and its officers, James R. Plant and Sara B. Plant, have been ordered to cease and desist from disseminating any advertisement which represents that the medicinal preparation they sell under the name "Cravex" is a competent or an effective treatment for alcoholism, or that its use will relieve or remove the craving for alcoholic liquors or enable a person addicted to excessive drinking to discontinue the use of alcoholic liquors. (3794)

Sierra Candy Co., Inc., 2203 3d St., San Francisco, has been ordered to cease and desist from selling or distributing candy or other merchandise so packed and assembled that sales of such merchandise are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme and from supplying or placing in the hands of others push and pull cards, punch boards or other lottery devices either with assortments of candy or other merchandise, or separately, which may be used in such distribution, and from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. (4758)

Supreme Sales Co., and Reliable Premium House, 34 E. 12th St., New York City, has been ordered to cease and desist from the use of lottery methods in the sale of watches, wearing apparel and other merchandise. (3559)

Western Confectioners Association, Inc., San Francisco, its officers, directors and trustees, and 18 of its member manufacturers located in four Western States have been ordered to cease and desist from entering into or carrying out any agreement or combination to establish or maintain uniform or minimum prices for their candy products or uniform discounts to purchasers. (4132)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Doubleday, Doran & Co., Inc., Rockefeller Center, New York City, stipulated to cease certain representations in the sale of books. (3500)

Webster Eisenlohr, Inc., 187 Madison Ave., New York, entered into a stipulation to cease certain representations in the sale of cigars designated "Webster-Eisenlohr Smokers," sold principally in the three Pacific Coast States. (03012)

Food Display Machine Corp., trading as Liberty Burner Co., 620 North Michigan Ave., Chicago, in a stipulation entered into agrees to cease advertising that its product the "Liberty Dortane Gas Burner" is a "gas" burner as gas burners are commonly known, or that the gaseous vapor it produces has been named or recognized as "Dortane" gas. The respondent also agrees to discontinue representing that its burner is free from danger and is a revolutionary invention burning cheap oil in a new way; is cool in its operation and capable of installation by an inexperienced person in 20 minutes or less; and that after installation there is no further service problem. (03015)

Professor V. Greenewald, Rural Route 5, Covington, Ky., has entered into a stipulation to cease using the term "Nature Nervine" or any other name which represents or implies that the drug preparation so designated is a remedy of nature or has beneficial therapeutic effect on the nerves or in the treatment of nervous disorders or conditions. The respondent also agrees to discontinue representing that the product is of any benefit in treating epilepsy, exhaustion, insomnia, stomach troubles and other ailments; that it forms blood, strengthens the nerves, builds the brain or promotes health, and that the preparation possesses any therapeutic value or affords any physiological effects except to the extent it may act as a stomachic and mild carminative. (03014)

Madame Hector Products Company—Etta Hector, trading as Madame Hector Products Co., 1702 Fulton St., Brooklyn, has entered into a stipulation to cease representing that a cosmetic preparation designated as "Madame Hector's Pomado" or the use thereof will increase the growth of hair, prevent the loss of hair or correct the cause of falling hair. (3501)

Keystone Silver, Inc.—Two New York City corporations selling aluminum ware stipulated to cease certain representations in the sale of their products. They are Keystone Silver, Inc., 460 West 34th St., manufacturer of household appliances, and L. Luria & Son, Inc., 160 Fifth Ave., distributor of aluminum ware supplies, including a line manufactured by Keystone Silver, Inc. (3496)

Mi-Dog Food Co., 189 Foster Ave., Battle Creek, Mich., Leo E. Thornton stipulated to cease certain representations in the sale of a dry dog food preparation designated "Mi-Cooked Ready to Feed Dog Ration," also advertised as "Mi-Dog Ration." The respondent agreed to desist from using the terms "meat," "meat scraps" and "meat-cereal food" to describe dehydrated meat meal or any product which is not meat. According to the stipulation, the respondent's preparation consists of several ingredients including dehydrated meat meal, but does not contain meat. (03013)

National Malting Co., 9 Ann St., Paterson, N. J., stipulated that in the sale of its brewer's malt it will cease and desist from giving, or offering to give, sums of money or other things of value to officials or employees of its customers or prospective customers, without the knowledge or consent of such customers, for the purpose of inducing these officials or employees to purchase its brewer's malt for use by their employers or to recommend such purchase by their employers, or as payments to such officials or employees for having induced the purchase or recommended the use of the National Malting Company's product by their employers. (3499)

Norden Laboratories, 227 North 9th St., Lincoln, Nebr., manufacturer of pharmaceuticals, biologics and serums for animal diseases, stipulated to cease certain representations in the sale of "Norden Certified Anti-Hog Cholera Serum." (3496)

Thirteen distributors of shoe polishes or dressings, have entered into stipulations to cease certain representations in the sale of their products

According to the stipulations, the respondent companies advertised that their white shoe dressings "will not rub off" when actually these preparations will rub off to a limited degree under ordinary conditions. Each respondent agreed to cease representing that its dressing will not rub off.

The respondent companies and the products they sell are:

Griffin Manufacturing Co., Inc., 410 Willoughby Ave., Brooklyn, N. Y., "Griffin Allwite" (02999); Dyer-Johnson, Inc., 619 East Vermont Place, Indianapolis, "Johnson's White Leather Wax" (03000); Edison Brothers Stores, Inc., 710 North 12th Blvd., St. Louis, "Klean-M-White" (03001); Gadi Co., Inc., Monroe at Lauderdale, Memphis, Tenn., "Gadi White Way" (03002); Ace Sales Corporation, 74 Gold St., New York, "White Ace" (03003); Manhattan Kreole Products, Inc., 172 North 10th St., Brooklyn, "Milk White" (03004); Consolidated Royal Chemical Corp., 544 South Wells St., Chicago, "Gem White Shoe Cleaner" (03005); Shu-Milk Products Corp., 27 Eighth St., Passaic, N. J., "Snow White Shu-Milk" (03006); Wilbert Products Co., Inc., 805 East 139th St., New York, "Wilbert's No-Rub Shoe White" (03007); Pee-Chee Cleaner, Inc., 869 East 140th St., Cleveland, "Pee-Chee White Shoe Cleaner" (03008); Whittemore Bros. Corp., 68 Albany St., Cambridge, Mass., "Whittemore's Cadet White," "Whittemore's Cadet Shoe Soap," "Whittemore's Bostonian Shoe Soap," and "Whittemore's Bostonian White (liquid and paste)" (03009); James V. Lobell, John J. Lobell, William Hoehn and William Hoehn, Jr., trading as Cavalier Co., Key Highway, Jackson and West St., Baltimore, "Cavalier Domino Shoe White" (03010); and Carbona Products Co., 304 West 26th St., New York, "Carbona Shoe Whitener" (03011). (02999 to 03011)

United Vacuum Cleaner Stores, Inc., 1213 Prospect Ave., Cleveland, operating a number of retail stores in Ohio, stipulated that in the sale of rebuilt vacuum cleaners it will cease and desist from the use of (1) statements such as "new parts throughout" to describe vacuum cleaners in which any of the parts used in the rebuilding are not new; (2) the word "genuine" in connection with the word "Hoover" to imply that all of the replaced parts are of the same make as the corresponding parts utilized in the construction of similar models of vacuum cleaners manufactured by the Hoover Co.; (3) the phrase "Direct from Factory" or any statement of similar meaning which may create the belief that the machines sold by the respondent have been made or rebuilt from Hoover parts in the Hoover Co. factory or that United Vacuum Cleaner Stores, Inc., is a factory representative of the Hoover Co.; and (4) any purported price figure, with or without the picture of an indicated model of vacuum cleaner, to imply that such price is the price of the model pictured or otherwise referred to, unless the designated price actually is the price of the machine advertised. (3495)

Yoghurt Products, Inc., 108 Denny Way, Seattle, Wash., agrees to cease certain representations in the sale of a food product designated "Yoghurt Ferment Capsules" which is intended to be combined with milk to form "Bulgarian Milk." (03016)

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NAB Reports

The National Association of Broadcasters

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 27, July 10, 1942

Sanders Bill Hearings

CRAVEN TESTIFIES

The testimony of Commissioner T. A. M. Craven of the FCC in support of the Sanders bill, given last week before the House Interstate Commerce Committee, is of such importance as to warrant its publication in full below.

After the commissioner's testimony are excerpts from his examination by various committee members.

My name is T. A. M. Craven. I have been a member of the Federal Communications Commission since 1937. Just prior to that, and for about two years, I was Chief Engineer of the Commission. My professional connection with communications embraces 29 years of continuous service.

I am not a lawyer, and because the bill under discussion deals with some procedural matters, my comments relative to those sections must be of a general rather than a technical legal character.

Moreover, before discussing the bill section by section, I should tell you that I regard the Commission as an agency created by Congress to administer policies established by the Congress. I do not regard the Commission as an agency empowered to promulgate new social-economic policies. We regulate some of the media for the dissemination of facts and opinion. Therefore our actions affect the value to the public of these media for free speech. Hence when the Commission encounters conditions and problems not foreseen at the time the basic legislation was enacted, it seems most desirable that the Commission return to Congress for further instructions. From this standpoint at least, this Committee hearing on H. R. 5497 seems opportune.

In my opinion the Communications Act of 1934 is excellent legislation. It seems to contain balances truly representative of a free democracy. At the same time it is progressive in its application of a modern technical development to the service of the public. However, in view of recent experience, I have admitted reluctantly that some parts of this excellent legislation may require clarification and some revision.

The regulation of radio broadcasting has become one of the most controversial matters before the Commission. Perhaps this is because broadcasting affords the newest and one of the most effective media for the dissemination of facts and opinion. When the availability of transmission facilities is so extremely limited as it is today, numerous problems arise involving the power of the Commission, the rights of licensees and the manner in which radio broadcasting facilities should be utilized in the service of the public. As you know, radio broadcasting licenses must be granted, when applications are made therefor, in accordance with public interest, convenience and necessity. This broad legislative phrase has afforded the opportunity for the wide differences of opinion in the concept of regulation. Now, everyone recognizes that radio broadcasting requires regulation from a technical standpoint in order that radio reception may be cleared of the chaos which might otherwise be caused by interference between the many radio channels and stations thereon. However, many of us believe Congress intended that radio broadcasting be free from unnecessary or arbitrary restraints imposed by the licensing agency. Indeed, I believe this is essential if the public is to have confidence in radio. It seems to me that the conclusion expressed by the President of the United States is wise advice on this subject of radio:

> "But now in our own time, there has come into being another great institution for the general diffusion of knowledge—the radio. Still in its infancy, it already rivals in importance the schools and the press. The government, as the people's agent, has had and has now a still different relation to radio from that toward the school and the press. It has encouraged and aided its development on the one hand, and, on the other, it has set up such controls of its operation as are necessary to prevent complete confusion on the air. In all other respects the radio is as free as the press."

Nevertheless, others believe that the Commission should regulate much more than the technical aspects of broadcasting.

As indicated previously, the fount of many of the problems is the shortage of radio frequencies. Consequently, the number of available facilities is so limited that it is impossible for everyone to be granted a radio license even if he were qualified. In fact, facilities will be so extremely limited that even if we had 100 national networks devoted exclusively to speech-making in 15 minute blocs, the last person of today's population would have to wait 37 years for his or her turn, and then could reach only a small portion of the people then living in the nation. Hence radio cannot be an unlimited medium, even though free from unnecessary Governmental restraint. On the other hand, it is interesting to note that if the facilities were so plentiful that everyone could have a license, radio broadcasting would be useless as a medium for the dissemination of facts and opinion to the nation. Hence, technical progress alone will not solve all the problems in broadcasting.

Thus it is obvious that while Congress has directed that equality of treatment be accorded political candidates and that radio broadcasting facilities be distributed geographically among the several States and communities on a fair, efficient and equitable basis, and while everyone agrees that we should have as many different competing licensees as is practicable, we still have serious problems in the application of radio broadcasting to the service of the public.

The solution of the problems of broadcasting can be influenced by the emphasis placed upon the different regulatory philosophies which may be considered in attaining the objective. For example, if one emphasizes the application of the philosophy of free competition or the philosophy of common carrier regulation, or program regulation in terms of education and culture, we may easily arrive at three different results. On the other hand, if we approach the solution of the problem primarily in terms of the Constitution, while at the same time giving due weight to the competition and quasi public utility aspects, we should secure an excellent solution in terms of general public interest.

I believe that in the consideration of the regulation of broadcasting we must keep paramount in our minds the Bill of Rights, or else we fail to attain the best solution. Other more narrow approaches, regardless of how worthy they may appear, may fail to achieve what I believe to be the objective specified by Congress in the Communications Act of 1934.

Perhaps therefore a good solution of these radio problems can be approached if we recognize that radio broadcasting is a public

(Continued on page 406)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

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SANDERS BILL HEARINGS

(Continued from page 405)

service, not in the sense of common carriers, but nevertheless in some quasi public utility category. This would imply that neither the licensee nor anyone else has rights which are paramount to those of the public. Therefore, whatever rights are conferred in a license are balanced by obligations to serve the public. Nevertheless, after a person has been granted a license to operate a radio broadcasting station, both the licensee and the public should have the right to freedom from unnecessary supervision by the licensing agency. At least licensees and applicants should have the right to a full and fair hearing when their real interests are affected. However, every person should be prevented from exercising control of radio broadcasting in such a manner that he serves private purposes rather than public interest, or in such a manner that anyone controls an excessive number of the limited available transmission facilities. Thus licenses should be distributed among the several States and communities and to persons on a fair and equitable basis.

The Communications Act of 1934 seems to provide for the regulation of broadcasting in accord with the foregoing philosophies. However, in view of recent controversies it would seem desirable that Congress specify more clearly to what extent and in what manner it desires the Commission to regulate broadcasting. If Congress desires the Commission to regulate the business practices of licensees, it should so state. If Congress desires this Commission not to regulate business practices of licensees, it should likewise specify clearly that the Commission has no such power. Likewise it seems desirable that Congress specify whether, before judgment has been rendered in Courts or other competent agencies, the Commission has power to take into consideration alleged violations of laws, other than the Communications Act, which affect the conduct of the licensees. Personally I believe that where alleged violations of laws other than the Communications Act are involved, the *record* of convictions in other jurisdictions should then, and then only, be utilized as evidence of inability to operate a radio station in the public interest; and that in the consideration of license renewals, the Commission should not be permitted to pass prior judgment on the facts in such cases and, before adjudication of guilt by the Courts, punish the licensee by refusing to renew his license. In fact, I believe that trial in proper courts for violation of certain penal sections of the Communications Act itself should antedate Commission revocation or renewal proceedings instituted for the purpose of imposing sanctions for the same violations.

There is pressure on the Commission to require licensees to make their facilities available on a fair basis to the varying schools of social and economic thought, as well as for other controversial questions of a national character. While the limitation in the number of radio channels exists, a necessary corollary of freedom of speech in radio, it seems to me, is fairness to opposing schools of thought and refraining on the part of licensees to abuse power by making stations solely the mouthpiece of their own viewpoints. Congress has already recognized these in part by requiring licensees to afford equal opportunities to political candidates. Licensees ought to carry out this same principle as to all discussions of controversial questions. I do not mean that they should necessarily devote any particular hours or proportion of hours to such discussions, but that if they do, they be fair.

The law does not require this at present, since Congress stopped at the point of applying this principle only to political candidates. The Commission, in my opinion, has no power to go further and attempt to enforce what Congress decided not to do. Furthermore, from my own observations and experience, I do not believe that any amendment of the law is necessary since, so far as I know, licensees generally have conformed to this principle voluntarily and have been fair, with exceptions too rare to be noticed. If, however, a real evil developed, I should favor an appropriate amendment of the law. I hope this will not prove necessary, since it entails a difficult and delicate problem of government regulation in determining to what questions the requirement applies; what is the test of fairness, and a constant danger that the power would be used for purposes of censorship.

I do not, however, agree with the so-called "quantitative" theory, wherein the Commission would require that a given hour, or a given proportion of a broadcast station's hours of operation, be devoted to programs of a prescribed type, such as "informative". To me, such a theory is a paradox because the Commission would be prescribing a type of program for a part of the time. If prescribing a type of program for all the hours is considered by almost everyone to constitute censorship, then the prescribing for only a few hours would likewise constitute censorship.

Coming now to the consideration of the provisions of H. R. 5497 and to the specific proposals made by the National Association of Broadcasters, I would like to divide my discussion into three parts, namely, (1) administration and organization; (2) procedure; and (3) policy.

Administration and Organization

Section 2 merely projects the bi-partisan requirements of the present law forward into the divisions proposed by Section 3. This policy has become so well established in the acts creating this and other similar agencies as to be also axiomatic. Nevertheless, it is interesting to note that under present circumstances and with the Commission limited to seven members, we would have two Democrats and one Republican on one division and two Republicans and one Democrat on the other. However, if the divisions are not to issue regulations or formulate general policies, such matters being left to the entire Commission, I cannot see that this arrangement has any particular political significance.

Dealing now with the question of the Commission's organization, I believe that that organization should be such as to provide for an efficient coordination of policy, a proper separation of the legislative, judicial and administrative functions, and a proper division of work as well as the delegation of details to subordinates. In recent years the Commission has operated under a plan of organization which, in my opinion, is basically unsound. In addition to making possible, and in fact requiring, an undesirable combination of the legislative, judicial and administrative functions, it is unwieldy and cumbersome. The result has been that too many matters which should have received careful attion have received too little attention or none at all. It therefore seems desirable to me that the Act be both specific and compulsory with respect to a division of the Commission and its major functions.

The administrative and judicial work of the Commission can be divided along natural lines, namely: (1) Broadcasting—this includes television, high frequency, domestic and international broadcasting; (2) common carriers—this includes domestic land lines and radio as well as international radio and cable; and (3) radio services involved in safety of life at sea and in the air, the preservation of property, regular radio operations aboard ship and aircraft as well as emergency and auxiliary uses of radio, amateur radio, and the licensing of all radio operators.

The broadcasting, the common carrier, and what I will choose to call the mobile and safety services, present very different regulatory problems. As an example, in the regulation of other common carriers by such bodies as the Interstate Commerce Commission, many helpful analogies have been established which we can and do use in the telephone and telegraph field. On the other hand, in the regulation of broadcasting and in the mobile and safety services there are no comparable analogies and the application of principles employed in other fields may be not only misleading but productive of unsound results. Without going into detail, I think it fair to say that the experience of the Commission to date has amply demonstrated not only the dissimilarity of the problems presented in these several fields, but the danger of attempting to deal with them in the same fashion and with the same personnel.

Moreover, many persons fail to appreciate the importance of the coordination of policy applicable to the various phases of communications under the jurisdiction of the Commission. In the past when the Commission utilized divisions to perform certain of its functions, the effect of lack of coordination was quite apparent. For example, the telegraph division had one interpretation relative to the extension of lines, while the telephone division had another. The consideration of telephone rates applying to broadcasting was conceived in different terms by the broadcast division than by the telephone division, the former thinking in terms of cheaper broadcast service, while the latter thought in terms of discrimination against other users.

Likewise, the question of the relative importance of the various kinds of radio communication from the standpoint of the allocation of frequencies was not coordinated effectively. The important matter of an international communication policy conforming to the best economic interests of this nation in the international field was never discussed adequately. The Commission was too engrossed in the details of broadcasting applications and regulating the business and program service of broadcasting and the investigation of the Telephone Company to consider the broad problem of communications as such. These are but a few examples of the importance of and the need for coordination between various divisions of the Commission as well as the need for the formulation of national communication policies within the framework of legislation enacted by the Congress.

I believe that the entire Commission should formulate all policies within the framework of the Act and to this end should be authorized and required to promulgate all rules and regulations of general application which apply to the work of the Commission and of the divisions thereof. I further believe that the entire Commission should pass upon all recommendations to Congress for any legislation; that it should make the final determination in all matters involving the overlapping of policies or a conflict of jurisdiction between the divisions; and that with respect to certain subjects, such as those involving safety of life at sea and other emergency services, it should make such judicial determinations as may be required. With respect to other functions of the Commission, it seems to me a different solution is required.

In the field of broadcasting and in the common carrier field, after general policies have been established, rights are largely dependent upon facts. The principal question to be determined in any given case is whether or not a particular applicant or party has or will comply with the Communications Act and with the regulations of the Commission. It is necessary here that evidence be carefully taken and weighed, and that the result reached should be in accordance with the showing made. I am satisfied that in view of the number and variety of questions presented, the entire Commission cannot perform these duties either as promptly or as efficiently as can be done by divisions directly charged with this responsibility.

Both as to those matters which are within the jurisdiction of the entire Commission and as to those matters which I believe should be placed within the jurisdiction of divisions, many details can and should be delegated to individual Commissioners and to subordinate officials of the Commission with ultimate approval or disapproval resting in the Commission or the appropriate division. Many administrative determinations must be made which are of a non-controversial character; it is both unnecessary and unwise to occupy the time of the entire Commission or of a division with details of this sort. The necessity for delegation of such duties was recognized both before and after the abolition of the division plan of operation, and the opportunity for such delegation should be continued in effect in any revision of the Act.

Section 3 of H. R. 5497 appears to embrace the principles of organization I have outlined above. It also provides that the chairman of the Commission shall be left free for the performance of certain executive duties, for the coordination of the work of the Commission and of the divisions thereof, for participation in the formulation of policies which are reflected in rules and regulations, and for the handling of all matters relating to legislation and legislative reports. Such an arrangement becomes a practical necessity as the scope of the Commission's activities increases. I believe this would contribute toward a proper relationship between the Commission and the Congress and would aid materially in the formulation and coordination of communication policies.

Procedure

While, as I have heretofore stated, I do not feel qualified to deal with procedural matters in detail, I do have certain rather definite convictions concerning these matters. I feel that the existing adjudicative processes of the Commission have not been entirely satisfactory. In some instances it seems to me that a full and fair hearing has not been given to all parties who have or may have a legitimate interest in the subject matter dealt with. Likewise, our manner in arriving at determinations of a judicial nature seems, at least in some instances, to be at variance with recognized concepts of proper administrative practice and fair play. Clarification in the law itself with respect to all of these matters would be tremendously helpful, not only to parties having business before the Commission but to the Commission itself.

It seems to me that the procedure to be employed by the Commission should be fair, just, simple and efficient, and can be such as to protect both the rights of the public and of individual litigants. Radio service or lack of it in any locality is, of course, a matter of public interest. But we must recognize that applicants and licensees have certain rights, particularly the right to a full hearing on matters and issues which involve their status or ability to initiate or maintain a service. While litigation can be supertechncal with the result that the public may be deprived of the opportunity to secure a needed service, attempts to safeguard public interest by expediting procedural matters cannot be carried to the point of entirely abolishing private rights. It should be possible to secure an orderly procedure which balances the various factors and assures prompt justice to all as well as safeguarding the paramount interests of the public in communication matters.

If broadcasting is to be regarded as a legitimate private enterprise, then I believe no licensee of the Commission should be restricted in his operations without first being accorded a full hearing. It makes no difference that his business may be affected with a great public interest, or that in a final decision benefits to the public necessitate the curtailment of his private rights. Every decision involves a weighing of private as well as of public interests, and every applicant or licensee should be given a chance to show how his private interests compare with the private interests of other applicants and how all are affected by the public interest. Consequently, I believe that the procedural scheme proposed in Section 5 of H. R. 5497 is a step in the right direction.

I have no suggestions to offer concerning Section 8 of the bill which deals with judicial review of the Commission's decisions and orders. As I understand the proposals advanced in this section, judicial review would be both extended and facilitated. As a general matter, I am in agreement with both of these objectives, but I must express my conviction that judicial review, while most helpful, cannot be regarded as an adequate substitute for efficient administration by competent and reasonable Commissioners. I am concerned at times over the long delays involved in litigation and the effect of such delays upon matters pending at the Commission. I realize, however, that this is primarily a problem for the Courts.

Section 9 of the bill deals with rehearings before the Commission and the divisions thereof. Most Commission decisions, particularly with respect to broadcasting, rely not upon past facts but upon future probabilities. Where the basis of a decision is thus speculative at best, I believe that some method should be provided whereby it is possible to secure a re-examination of the results. Furthermore, some method should be furnished whereby the issues and the parties shall be held in status quo while this re-examination is being made. As I understand this section, it will accomplish this purpose.

Sections 4 and 10 of the bill may have imperfections, but if so, my lay mind does not perceive them. All of these proposals of the F. C. C. Bar Association contained in Sections 1 through 6 and 8 through 10 of H. R. 5497 appear to me to constitute a step in the right direction. In any event, I am confident that this Committee is perfectly capable of drafting suitable legislation after hearing all the evidence bearing on the advantages and disadvantages of the Commission's existing procedure.

The proposals of the National Association of Broadcasters also appear to me to have merit. I am particularly interested in the proposal with respect to declaratory rulings. Our recent experiences with the chain broadcasting regulations might have been avoided if we had been able to render a declaratory ruling and had that ruling appealed to the courts before sanctions became operative. I was and still am particularly interested in having the question of the Commission's power determined prior to changing the entire basis of the business structure of broadcasting. In this and many other instances I think the rendition of declaratory rulings would serve a useful purpose.

The second and third proposals of the N. A. B. are also, in my judgment, worthy of serious consideration. The proposal relating to unauthorized penalties and sanctions would require the Commission to interpret the statute literally in imposing penalties or sanctions, to enforce the terms of the statute fairly, and that when imposing sanctions or penalties such action be taken with due appreciation of the consequences. I think extreme care should be exercised to avoid confusion between the legitimate exercise of the Commission's licensing power and a desire which the Commission might have to impose its will upon licensees by the use of the licensing power. The third proposal made by the N. A. B. would do no more than place in statutory form the law as already stated by the Supreme Court in the *Sanders Case*. While this action may be viewed by some as unnecessary, I think that our recent experiences indicate that it is both desirable and necessary to have a clear expression of the Commission's jurisdiction placed in the statute itself.

Section 6 of the bill deals both with a matter of procedure and one of policy. In so far as this section deals with procedure, it would make the procedure applicable to other applications also applicable to transfer applications. I see no possible objection to this course of action, but on the contrary feel that it has merit. After all, it is the Commission's duty to find proper and qualified licensees for the stations which it authorizes, and I see no reason why the steps taken in the case of an applicant for an original instrument of authorization should not apply to the process of finding a new holder for an existing instrument. On the question of policy involved in this section, much could be written and said, but it will suffice here to say that the present Act requires clarification.

It has always been my understanding of the present law that the Commission cannot confer, nor can a licensee receive, any property rights in a radio frequency as against the regulatory power of the United States. If that is so, I do not understand how a transferee can acquire any greater right than was held by the person to whom the construction permit or license was originally issued. This section of the bill seems to have been drafted on the theory that the Commission should concern itself primarily with the qualifications of the transferee to render service in the public interest and not with the consideration paid for the physical plant or business. Under this section, as I interpret it, the Commission would not be expected to concern itself with the price paid by the transferee for any station except in so far as that price might disqualify him to operate it in the public interest. If the price he pays is exhorbitant and the public interest later requires that his station be restricted or his license terminated, these are risks which he assumed. Though these risks may be greater in degree they are not different in kind from those that face every other licensee of the Commission and should receive only the same attention by the Commission.

If the Congress desires some standard other than the one I have outlined, now is an excellent opportunity to clarify the situation.

Policy

Section 7 of the bill would require the Commission to study and report to the Congress at some future date its conclusions and recommendations upon a variety of subjects. All subjects here enumerated involve problems which are currently before the Commission in some form or other, and with respect to each I believe that the ultimate determination should rest with the Congress. I, therefore, agree that either now or later the Commission should make a report and recommendations upon these subjects and request directions from the legislative body concerning their final disposition.

I further believe that since the Commission has already made rather extensive investigations concerning each of the subjects specified it now has the material on hand upon which to base its conclusions and recommendations. I now have certain views concerning each of these subjects which I will submit if the Committee is interested in having them placed in the record at this time. If not, I will conclude my remarks here.

1. The first question proposed by Section 7 is "Whether and upon what terms and conditions Congress shall by statute confer upon the Commission the power to regulate the contractual or other relations between the licensees of radio broadcast stations and networks or other organizations which supply program material to such licensees". For a variety of reasons I believe that this question should be answered in the negative.

As has already been demonstrated, a network is only an aggregation of individual stations joined together by contractual arrangement for the simultaneous rendition of particular programs. Congress has not seen fit, and wisely I believe, to confer upon the Commission the power to regulate the business practices or business policies of individual stations. I can see no greater reason why such power should be conferred when stations are considered in the aggregate as networks. The necessary result of such action would be to confer upon the Commission the power to impose its will upon all licensees with respect to all business practices growing out of the network relationship. Quite aside from the elements of censorship which are necessarily involved when the source of program material may be regulated, I can see no need for this action. On the contrary, I can see much harm that might result therefrom.

As a result of the extensive investigation which the Commission has already made of this subject, it has been demonstrated to my satisfaction, first, that networks as we now know them are essential to our system of broadcasting, and, secondly, that in the main such networks operate efficiently and well. There are, of course, certain imperfections in the structure and certain practices which if continued or extended may have an adverse effect upon the quantity and quality of radio service available to the public. But it is my view that if legislation on this subject is considered necessary, Congress itself should outlaw certain specific practices considered harmful or reprehensible, and that within the limitations thus established the parties be permitted to work out their own economic destiny without interference by the Commission.

I believe that the solution of the problem of network broadcasting rests in permitting the greatest freedom of action both from an economic and from a program standpoint in so far as is consistent with provisions of general law. However, in order to meet the views of those who desire to impose specific limitations, I can agree that it may be helpful for Congress to enact certain provisions which will serve as guideposts to the industry, but which do not directly or indirectly control its economic or program development.

The maximum for which I believe justification can now be found would be the enactment of provisions of law which would prohibit the licensee of any broadcast station from entering into any contract or other arrangement with a network organization containing any or all of the following five restraints upon the ability of a licensee to exercise his responsibility: (1) where the station is prevented from broadcasting public service programs of any other network organization, (a public service program could be defined as any program broadcast under the provisions of Section 315 of the Act by candidates for public office; all programs broadcast by any public officer or on behalf of any government either local, State, or national; and all sustaining programs broadcast upon behalf of any religious, charitable, scientific, literary, educational, patriotic, or fraternal organization); (2) which prevents the station from rejecting or refusing network programs which the station reasonably believes to be unsatisfactory, unsuitable, or contrary to the public interest, or from substituting therefor a program of outstanding local or national importance; (3) which prevents another station serving a substantially different area from broadcasting any network program or programs; (4) which provides by original term, provisions for renewal or otherwise that the station will broadcast the programs of the network organization for a period longer than three years; or (5) which gives the network organization an option upon periods of the station's time which are unspecified, or which can be exercised upon notice to the station within less than a reasonable time, such as 28 days.

With these safeguards imposed by the law itself, I believe that the present good aspects of network service can be maintained or improved, that the bargaining position of both the network and the station will be preserved, that licensees will be free to exercise their responsibilities to the public, that the excellent public service facilities of radio will be improved, and that the over-all result will be far superior to the adoption of any plan whereby both networks and licensees are subjected to the ever-changing economic views and philosophies of an everchanging licensing agency,

2. The second question proposed by Section 7 is "Whether and upon what terms and conditions the Congress shall provide by statute for the licensing of networks." I definitely believe that this question should be answered in the negative.

In my opinion the licensing of networks would inevitably limit rather than encourage competition between networks. Progress today in the network field has stemmed in a large part from public demand and a natural but not enforced competition. The organization of program production and distribution system should remain free and untrammeled except by physical and economic factors and by public demand.

The most important reason for not requiring networks to be licensed is that they are in the last analysis program production and sale agencies. If such agencies are required to apply to the Commission for a license, the Commission will inevitably become both their economic mentor and the judge of the propriety of their program material. This is censorship in its worst form, and it is difficult to see where such action would end if once commenced.

3. The third question proposed by Section 7 is "Whether and on what terms the Congress shall by statute redefine and fix the qualifications of the licensee of any radio station which is intended to and does communicate with the public".

As the law is now written, no distinction is made between the qualifications of licensees for various classes of stations which the Commission may license. Except for aliens and representatives of alien governments prescribed by Section 310(a), and except for those adjudged guilty by the courts of violating the anti-trust laws as provided by Sections 311 and 313 of the Act, the Commission is required by Section 307(a) to "grant to any applicant therefor a station license provided for by this Act" if the statutory standard will be served by such action.

I agree that there are differences between public and private communications and the stations engaged in such communications. I believe that the Congress might be justified in providing special or different qualifications for the licensees of those stations which engaged in public as distinguished from private communications. However, I do not believe that any such classification should be predicated upon the occupation or other business interests of the owner of such station as has been suggested in the newspaper field. I consider such action both unnecessary and dangerous.

I recognize that an important problem of public policy concerns diversification in the operation of the various media for the dissemination of facts and opinion. Of course, diversification of control of these media is desirable. On the other hand, whether this objective should be obtained by legislation which discriminates against one class of persons or which prevents anyone from owning stock in an organization operating a particular kind of medium for free speech, raises questions in a free democracy almost as serious as monopolistic control of the media for the dissemination of facts and opinions.

Another problem is an economic one, particularly in small communities where radio competition with the newspapers may spell disaster to the latter. It is difficult to understand why combinations between the two should be prohibited, if such prohibition should result in poorer radio service and perhaps in destruction of either or both the newspaper and the radio service. Under such circumstances absolutely nothing would be accomplished except destruction of service to the people. In so far as I can ascertain, there is no evidence that newspaper owned radio stations have been operated as such contrary to public interest. In fact, they seem to operate very much like any other good radio station.

However, if the Congress is to redefine and fix the qualifications of the licensee of any radio station which is intended to and does communicate with the public, I would suggest that it do so by providing that on and after a date to be fixed no license shall be granted for such a station except to a corporation whose charter and by-laws shall provide that the business of the corporation is limited to the business of broadcasting or chain broadcasting, together with such other business as may be incidental thereto. My reasons for this suggestion are not those advanced by the ones who advocate separation of the ownership of newspapers and radio stations; in fact, my reasons are not ones of ownership at all, but ones of convenience and the clarification of the status of certain existing licensees.

Radio broadcasting, unlike most other industries, grew up in a large part as an adjunct of other businesses. Electrical manufacturing companies, newspapers, insurance companies, department stores, and others furnished the pioneer money for the establishment of many of our existing stations. They did so at a time when the ownership and operation of a station involved a considerable capital outlay and no revenue was in sight. As a result, even after broadcasting came to stand upon its own feet, we find it merged and sometimes confused with other businesses. Many organizations when confronted with this situation have formed subsidiary corporations for the conduct of the broadcasting business, others have not. Under my suggestion all would be required to do so.

Such action if taken would not deprive the present owners of their property in existing stations; nor would it prevent them from exercising an adequate and proper measure of control in the operation of such properties. It would, however, segregate the business of broadcasting from other and unrelated businesses, and to this end would facilitate both the work of the Commission and the duties of the licensees in making reports and supplying other information to the Commission. Moreover, it would end all confusion and speculation in any given case as to whether another business was supporting a broadcast station or whether the broadcast station was supporting another business. It would also disclose through the books and records of the subsidiary company formed to operate the broadcasting business of any use which the other and unrelated business had made of the broadcast station for the purpose of advertising such other business.

It goes without saying that if such a provision is enacted into law, it should be accompanied by a further provision which would direct the Commission to take such steps as are necessary to expedite the transfer of all outstanding construction permits and licenses for stations of this class to corporations which are qualified to hold the same. These corporations would of course be organized by and subject to the control of the present owners of the station properties. If further limitation of control is desired, the legislation could provide that the charter and by-laws of such radio corporations should prohibit interlocking directorates and duplication of officials in much the same manner as is done in public utility legislation.

4. The fourth question proposed by Section 7 of the bill is "Whether and upon what terms and conditions the Congress shall by statute limit the number of services which may be conducted by any network organization and the number of stations of any class which may be licensed to any network organization". As I understand this, it really propounds two inquiries; the first having to do with the number of services such as standard broadcasting, television, etc., which may be conducted by any network organization; the second having to do with the number of stations engaged in rendering any particular class of service which any particular network may own or operate.

On the first of these inquiries, I do not believe that any limitation should be placed by the Congress or otherwise upon the number of broadcasting services which a network organization may conduct. As new services such as television, frequency modulation and facsimile are opened up, first for experimental work and later on a regular basis, we find that those who are best equipped technically and who are most willing to make the substantial investments required are those who have been engaged in similar types of public communication. To date the development of both television and FM communications has been due almost entirely to those persons and organizations who are now engaged in the operation of standard broadcast stations. While there are differences between standard broadcasting and these newer types of public communication, to a very definite degree the same principles are applicable to all. I feel that any limitation imposed by statute which would prevent those now engaged in standard broadcasting from entering into and developing the newer forms of public communications would be most unfortunate.

With reference to the second of these inquiries, namely, the number of stations of any class which may be licensed to any network organization, much can be said. I think it will suffice here to say that most if not all, persons who have had an opportunity to study this problem will agree that network organizations should be permitted to own stations in those cities and at those points where the ownership of stations is necessary for program origination and for proper network operation. The hitch comes in an attempt to fix those points. Difficulties also present themselves because during the pioneering or developmental stage it may be necessary for a network to own stations at points where later and as the service has progressed such ownership may appear to be unnecessary or even undesirable. It seems harsh to force one who has secured and developed a property during the formative period to relinquish it at a later date when it has become profitable and is sought after by others who did not engage in this developmental work. Such a result should be avoided if possible.

Whatever the determination of the Congress is on either or both of the inquiries propounded by this provision of the bill, I firmly believe that the Congress and not the Commission should impose any limitations which are found to be necessary. In other words, I believe that if the Congress finds it necessary to limit either the number of radio services which a network organization may conduct or the number of stations in any class which it may own that such limitations should be placed in the Act itself and not left to the determination of the Commission. Moreover, if the Congress believes that no limitation should be imposed upon either and that the Commission should determine these questions as they naturally arise in the exercise of its licensing power, it should find some method of stating its views in the statute itself.

If one of these courses is not followed, there will be a constant temptation for the Commission to assert its rule-making power to achieve what it considers to be a desirable result. This has already been done in the FM and television field, and has been attempted in the standard broadcast field. The adoption of the second proposal advanced by the National Association of Broadcasters would probably constitute sufficient notice to the Commission that it was not to attempt limitations not authorized by Congress.

5. The fifth proposal made by Section 7 of the bill would require the Commission to report to the Congress as of a date to be specified concerning "the standards and principles adopted by it to effectuate the mandate contained in Section 307(b) of the Communications Act of 1934, as amended, which requires the Commission to make and maintain a fair, efficient and equitable distribution of radio facilities among the several States and communities together with its recommendations, if any, for future legislation on the subject".

Thus, the proposed bill suggests correctly that the distribution of radio broadcasting facilities remains a problem. This will always be a problem, regardless of technical progress. The more we learn about the usefulness of radio, the more we demand. Hence there is always a race between supply and demand, with the latter far out in front. New developments are on the horizon; what specific problems they will present is difficult to foresee. Therefore, any new legislation should be in broad terms and sufficiently flexible to meet the variable conditions of technical progress.

It should be obvious that radio broadcasting has become a real service to the people of the nation. It has been demonstrated beyond any doubt that the people of America desire the continuation of this service together with such improvements as can be secured.

Therefore, it is unthinkable that any section of the nation's population should be deprived of radio service or that we should willingly permit a degradation of existing service to any area. Yet in my opinion this is the inevitable result of the application of the Commission's policy of encouraging too many radio stations in the business markets. At this point, let me clarify my position so that misunderstanding will not occur. I do not believe that broadcasters should be immune from the statutes dealing with unreasonable restraints upon trade. Broadcasters are businessmen and deserve no special privileges or rights. On the other hand, where violations of the antitrust statutes are alleged, broadcasters should not be discriminated against and deprived of their right to a fair trial in competent courts. In other words, we should not use the Commission's licensing power to impose sanctions for alleged violations of antitrust statutes at least until after adjudication of guilt in the Courts. However, I believe that the Commission's power can be exercised legitimately in preventing the type of monopoly where one person is licensed to operate too many stations and it is the corollary of this phase to which I now refer—namely, the encouragement of an excessive number of licensees in any particular community.

I believe in sound competition, and monopolies contrary to public interest are as abhorrent to me as to anyone else. However, the forcing of unsound competition in the fields of radio will nullify the directions of Congress to distribute radio broadcasting facilities fairly and equitably among the various States and communities. Moreover, the forced application of the doctrine of unlimited economic competition will result in a further concentration of competing stations in the large cities and a dearth of facilities in the smaller communities throughout the nation. Likewise, if too many stations are forced into the large cities, the net result will be impaired program service to the entire nation. Such a policy of unlimited economic competition must of necessity impair good engineering standards, with the consequence that rural radio listeners may be sacrificed for a regulatory theory in which the commercial aspects of radio broadcasting are overemphasized and the public service aspects are neglected.

In my opinion the danger of forcing the doctrine of unlimited business competition is the destruction of a free radio in terms of free speech and the substitution therefor of a "free fight" in terms of meager commercial profits for a few people. Consequently, I believe that if we approach the problems of broadcasting solely from the narrow standpoint of business competition, and without resolving all the factors which affect public interest, we tend to destroy the value of the radio as a medium for the exercise of free speech. There are not sufficient facilities to secure everything anyone may desire in applying the various social-economic doctrines. We cannot have at the same time both unlimited competition and a valuable medium for free speech. I believe that a reasonable balance has to be struck, with the emphasis placed upon freedom of speech rather than commercialism.

Another problem in the distribution of facilities is the wide difference between the performance of the different classes of stations using the standard broadcast band. This results in inequalities not only between the licensees competing in the same local markets, but also inequalities between groups of licensees competing as groups for the national or regional markets. Of course, it would be ideal if these inequalities did not exist. But I know of no competent engineer who can attain this ideal in the standard broadcast band, and still provide efficient and adequate radio service to all the people in the nation. I have high hopes, however, that an approach to this isolated ideal may be secured in the future through the application of the new developments in the ultra high frequency portion of the radio spectrum. That point, however, has not yet been reached.

However, in spite of the inequalities between classes of stations in the standard broadcasting band, I am convinced that the three classifications we now have, namely, clear, regional and local stations, is the best solution not only from the standpoint of radio service to all the people but also from the standpoint of the maximum opportunity for the exercise of free speech with the few radio channels available today for broadcasting.

Therefore, while I agree in general principle with some of the arguments advanced by the clear channel advocates, I must reiterate that regional and local stations, and even the so-called "half area" stations as well as clear channel stations are absolutely necessary for a balanced radio structure. However, I feel that care should be exercised to avoid deterioration of service provided by means of clear channels. After all, it is only by the use of these facilities that service to the small towns and the rural areas can be maintained or improved, and when any one of these channels is permitted by us to disintegrate or to be used for some other purpose we irrevocably prejudice our position both nationally and internationally.

We cannot predict with accuracy future scientific progress. The population residing in rural areas is entitled to receive as much improved radio service as people in cities. There should be no discrimination.

If we are impetuous in breaking down clear channels today we may start something most difficult to unscramble, both from an international as well as a national standpoint. Therefore any new method of using these channels should be in accord with a logical plan which does not impair the possibilities for improvements of service to the rural areas of the United States.

In one sense, clear channels provide a radio reserve for the future. It seems unwisely wasteful to use up all that is left of this natural resource in the standard broadcast band merely to multiply existing radio service in the large cities.

As one who participated actively in the proceedings resulting in the North American Regional Broadcasting Agreement, I can speak with first-hand knowledge concerning the difficulties which were encountered in making twenty-five such channels available for the exclusive use of the United States. As a former Chief Engineer of the Commission, and later a Commissioner, I can speak with some knowledge concerning the difficulties which the Commission encounters in maintaining the status of these channels even when set aside by Commission regulation and by international agreement for this purpose. I therefore feel that some provision should be put in the Act which will make it impossible for the Commission to change the status of one of these channels without first conducting a hearing in which not only the merits of a particular application but the broad questions of allocation involved will be considered and decided. I agree that the formula prescribed by Section 307(b) might be made more specific by particular reference to rural areas and populations.

To carry out the first of these suggestions, Section 303(f) of the Act, which prohibits changes in the frequencies, authorized power, or in the operating hours of any station without consent of the licensee or public hearing, could be amended to provide specifically that the status of a frequency should not be changed without the conduct of a public hearing in which all parties in interest are permitted to appear and participate.

To carry out the second of these suggestions the following language might be added at the end of Section 307(b) as now written:

> "In considering what shall constitute a fair, efficient and equitable distribution of radio service as herein provided the Commission shall consider and give effect to the needs of rural and sparsely settled areas as well as to the more populous areas, and shall in no case make any decision or order upon any application for a license or modification or renewal thereof which will or might result in a reduction in the quantity and quality of radio service available to rural areas without the conduct of a public hearing in which the nature and extent of such reduction is an issue to be heard and determined."

6. The sixth and last proposal advanced in Section 7 of the bill is that the Commission shall report to Congress at some future date "the steps taken and the policies adopted by it to effectuate the purposes of Section 303(g) of the Communications Act of 1934 as amended in so far as those purposes may have application to the larger and more effective use of radio by stations which are intended to and do communicate with the public".

On this subject I feel that there has been a great deal of misunderstanding and confusion both upon the part of the industry and the Commission. Most, if not all, of this has arisen with respect to broadcast stations or stations which are used for communication with the public, and has resulted from the vagueness of the language now found in Section 303(g) of the Act. This section authorizes and directs the Commission to "study new uses for radio, provide for experimental use of frequencies, and generally encourage the larger and more effective use of radio in the public interest".

No one will deny the desirability of, or in fact the necessity for, the inclusion in the Act of provisions which authorize the Commission to carry out the purposes expressed in Section 303(g) and to that end to authorize proper experimentation. On the other hand, the indefinite character of the language employed in this section, as well as pressure which has been exerted upon the Commission to use its experimental power for matters which are not in fact experimental, have produced results which are far from satisfactory. Grants have been made on an experimental basis which cannot be justified on that basis, and conditions have been imposed in truly experimental licenses which are of doubtful benefit and value if true experimentation is to be fostered and encouraged.

True experimentation in radio and particularly in the newer fields sometimes involves the outlay of very substantial sums of money. To date the industry has been quite willing to make these expenditures and to engage in all types of experimentation which hold some promise of successful termination. I do not believe, however, that the members of the industry can be expected to continue to invest large sums in legitimate experimental ventures if the Commission continues to exercise the power of terminating experimental authorizations without hearings for any reason or for no reason at all, and regardless of the success or failure of the experiment. I believe on the other hand that here, as in other instances where the Commission exercises its licensing power, the exercise of such power should be subject to certain checks and balances.

To this end I would suggest that Section 303(g) of the Act be rewritten so as to provide in substance that the Commission shall study new uses for radio and generally encourage the larger and more effective use of radio in the public interest by providing for the experimental use of frequencies and taking such other steps consistent with the provisions of this Act as shall be in furtherance of this larger and more effective use. I believe that the Commission in granting construction permits and licenses for the experimental use of frequencies should be empowered and perhaps required to insert conditions in such instruments of authorization which will compel the holder thereof to make periodical reports to the Commission concerning the results of such experimentation. I further believe that the statute should be so written as to prevent the commercial use of any facility granted upon an experimental basis, unless such commercial use is necessary for the proper conduct of the experimentation and the Commission expressly so finds. I also believe that the Commission should be authorized to grant such instruments of authorization only for such periods of time as in its judgment may be necessary or desirable in view of the nature of the experimentation authorized. But I do not believe that the Commission should be permitted to insert in any such instrument or to impose as a condition to the grant of any such instrument any condition which will have the effect of making the procedural and appellate provisions of this Act inapplicable thereto.

If for reasons which do not now occur to me, the Congress is convinced that the Commission's power to terminate experimental authorizations without notice or hearing should be retained, then I believe that such authority should be specifically conferred in the Act. If such power of termination is expressly conferred in the Act, notice would be served upon all who entered the field of experimentation that regardless of the results thereof, the instrument which they hold and the investments which they have made as a result thereof may be rendered valueless at the will of the Commission. Now there is by implication at least the promise of more which may or may not be realized.

All that I have said concerning experimental operation and regulation thereof presupposes the adaptability of Section 312 of the Act to these problems. This section authorizes the Commission on its own motion and for cause to revoke or modify any station license after affording the licensee an opportunity to be heard. Any allocation changes made necessary to accommodate experimentation, during the progress of experimentation, or as a result of such experimentation can, in my opinion, be carried out under the terms of this section. If this Committee should be of the opinion that Section 312 does not confer this authority, then in my judgment it should be modified or extended to do so.

Future Technical Progress and Its Relation to Today's Legislation

In conclusion, and if the Committee so desires, I should like to mention some things relative to future developments in the field of communications. While future technical progress may have no direct bearing upon the details of H. R. 5497, it does have significant bearing on the general philosophy of legislation and regulation of communications.

Of course, no one can predict with accuracy either the technical course of future developments or the economics which will affect their progress. Consequently I am aware of the dangers which are inherent when embarking upon such a discussion. Nevertheless, I have some knowledge of recent laboratory developments and I have a background of nearly 30 years' practical experience in the application of science to the service of the public. Therefore it is possible that I should see some of the probabilities of significant interest.

The surge of recent inventive activities has centered around electronic research in the micro waves. This means that the present useful radio spectrum will be extended considerably, thus making a little more space not only for some sorely needed radio channels, but also for some new uses of radio. The development of new circuits, new electronic tubes and new types of antennas has opened a wide vista for the peacetime application of electronics to all sorts of activities, including communications and broadcasting. To me, the most interesting development is that which includes what I shall term "wide band transmission". This research will facilitate television and electrical methods of transmitting quantities of printed matter. Frequency modulation is another recent improvement which will improve the quality of reception and extend the range of local radio stations as well as accommodate a larger number of stations in the nation.

I foresee the day when not only will we have color television broadcasting stations all over the country, but also when every telephone will have its corresponding video attachment. People living in rural areas will be able not only to hear and see the radio news commentators, but also will have the newspaper itself delivered by radio. Telegrams will not be transmitted as they are today. We will not have to worry about boiling down what we desire to say in order to get within the ten-word minimum charge. We will think in terms of letter pages and wonder whether it is worth while to pay a little extra for faster delivery of a letter by electronics rather than by the efficient airmail of the future.

Radio likewise will play a most important part in the development of post-war aviation by adding to the safety of flying and by assisting in the coordination of flying activities along airways and at air terminals.

There will be other radio services of economic value, such as radio control centers for doctors' calls, taxi cabs, and for delivery of consumers' goods.

Electronics will play an important part in chemistry, medicine and surgery, and in many manufacturing processes. Time is too limited to expound the many activities in which electronics will function. In fact, I foresee a new era which I like to term the "electronic era," the importance of which in modern social economics cannot be disregarded. A huge new industry is possible—just the kind of life-blood the nation will require after this war.

I would like to quote some extracts from an article I prepared for the National Resources Committee and which was published in its report on Technological Trends and Their Social Implications, dated June 18, 1937. This may be pertinent here because today we are approaching into the electronic era at a faster rate than ever before:

> "There will be required in the future a balance between the unlimited possibilities of facsimile and television as against the limitations imposed by natural, economic and social circumstances. Nevertheless, one can safely state that ability to have one's newspaper printed in the home, ability to see and hear news in the making, ability to transmit quickly from one point to another a written document, and the ability to see and hear the person with whom one desires to communicate, even though he may be separated by thousands of miles, must have a marked effect upon the daily life of anyone living in this modern age. That this may affect the social habits and daily routine of an individual family or that it will affect the economic welfare of the Nation as a whole, cannot be overlooked. . . .
>
> "It also may be expected that these new developments will speed up ordinary life and business, and will affect certain existing industries, such as the motion picture, the newspaper, advertising, and the existing telegraph, telephone and radio systems of the country. . . .
>
> "In education, the application of these modern methods of communication may well effect a complete change in methods of educating not only the child and the adult, but also the entire public. The new communication development may also revolutionize the present school systems of the country.
>
> "Whether or not these new developments will permit more leisure and greater profits will depend entirely upon the control which the public places upon such new developments, particularly as to the organization and methods of making these wonderful facilities available for use by the public at the cheapest cost. In consideration of this factor alone, one must take into account the economic limitations which will be involved in the rapid obsolescence of present-day communication facilities.
>
> "It is considered by many that the application of these modern communication facilities will not result in a decrease in employment, but rather in an increase in employment. However, such employment will tend toward those who are qualified scientifically rather than those who are qualified manually. The person of the future may, as a result of propinquity with the everyday modern communication developments, become a far better educated thinker than the average person of today."

Thus, it is obvious that we shall have new communication problems for Congress and the Commission. The present-day problems will be obsolete and forgotten. Tomorrow we may wonder why we worried so much about today's problems. Therefore it seems essential that we do not base long-term legislation upon what may appear to be a good detailed solution of today's minor troubles in radio. We should avoid the danger of regimenting the future along the grooves of today's thinking, and it is for this reason I hope that any new legislation which may be enacted by Congress will contain statements of broad policy together with such checks and balances as are deemed necessary to insure the development of radio as a free American enterprise in which the public has confidence.

"Mr. Sanders. Mr. Craven, in September of last year, the Chairman of the Commission transmitted to the Chairman of this Committee some comments in regard to H. R. 5497, commonly known as the Sanders bill.

"Did you have an opportunity of passing upon those comments prior to their transmittal to this Committee?

"Commissioner Craven. No, sir. Those were not discussed in the Commission by the Commission, so far as I am aware, and I did not get a copy of it until just a few weeks ago. I did not know about it.

"Mr. Sanders. Is that customary for the Commission to give official opinions and make dispositions, without all of the members of the Commission having been consulted?

"Commissioner Craven. You refer to matters of legislation?

"Mr. Sanders. Well, I refer to anything.

"Commissioner Craven. I would not say that that is customary. I think we have discussed in the past many matters of legislation; but generally speaking, on some of these bills, the discussion is not very extensive. This is the only bill that I recall that affects the Commission's organization and procedure to such an extent, and I know that this one was not discussed. I do not recall the discussions of others; but I would not like to state positively that this procedure is customary.

"Mr. Sanders. Do you not think, or do you think, that it would be desirable for such matters of policy to be discussed in the Commission as a whole before the contents are transmitted to this Committee or any other committee?

"Commissioner Craven. I have suggested, sir, in my testimony, that I felt that the Commission as a whole, under the leadership of the Chairman, should discuss all matters of policy and all matters of legislation and we should thrash them out thoroughly."

"Mr. Sanders. On page 6 of your prepared statement, you have some discussion of the present organization of the Commission. It is my understanding that at one time the Commission used a division system in its organization. That is a fact, is it not?

"Commissioner Craven. Yes, sir.

"Mr. Sanders. Did you serve on the Commission at that time?

"Commissioner Craven. I was the Chief Engineer of the Commission when that system was in effect. I also, just for a few months, I served on a division as a Commissioner. Mr. McNinch, the Chairman, was the Chairman when I came in. He and I were appointed at the same time, and as I recollect it, in a very short time after his assumption of office, we had this proposition of changing from the divisions into the system we now have. I voted for the change at that time with the understanding that later on we would reorganize back into divisions.

"I have always believed in the division plan of operation. I felt that the old division plan was unworkable, because it was a combination—it was a division as to character of communications, rather than as to the functions of the Commission. We had the telegraph carrier, common carrier division, and we had a telephone common carrier division; then we had a broadcasting division.

"I felt that that was unworkable; but I believe just about that time, or shortly thereafter, I recommended to the Commission the establishment, reestablishment, of divisions along fundamental lines, very much as those proposed in this bill which is now under consideration.

"I have long felt that not much attention can be given to all of the things that come before us. I personally, perfectly candidly admit that I have been unable, in times past, when we have had lots of hearings, to give the necessary time to really make a just decision, and I felt that I ought to be relieved of the responsibility of having to pass upon every case.

"Mr. Sanders. It is your considered opinion, then, that a division system such as is suggested in H. R. 5497 would increase the efficiency of the operation of the Commission?

"Commissioner Craven. That is my opinion; yes, sir.

"Mr. Sanders. And you have had practical experience under both systems?

"Commissioner Craven. Yes, sir. I must admit again that there were faults in the past system; but I believe this bill rectifies those faults.

"Mr. Sanders. Mr. Craven, has any other member of the present Commission had any experience under the divisional work?

"Commissioner Craven. Yes, I think Governor Case had.

"Mr. Sanders. Governor Case?

"Commissioner Craven. Yes, sir; and Commissioner Walker.

"Mr. Sanders. And Commissioner Walker?

"Commissioner Craven. Yes, sir. I might state here that I think that more than one or that I am not the only member of the Commission who believes we should have the division plan of operation. I also might state further that the organization of the staff is along divisions of work, such as this. They have a common carrier division; they have a broadcasting division, in each of the major departments of the staff, and I think that that is the natural way to organize.

"I do not see anywhere at all where we should not delegate our duties and be relieved of responsibilities, except for policies. I think we ought to have time to consider broad matters of policy and that is what the function of the entire Commission should be.

"Mr. Sanders. If this phase of the pending legislation should be adopted, that is, the division of the Commission into divisions, separation of the Commission into divisions, how long would you think it would take the Commission to reorganize along those lines; to what extent would it upset the work of the Commission?

"Commissioner Craven. I do not think it would affect the work of the Commission one iota. I think we are all prepared for it. All we would have to do, however, is to write some new procedural rules. I do not think that is a very difficult thing to do.

"The Chairman himself, I think, almost might be concerned, because I do believe he has some burdens, but I think he could delegate some of those duties to the rest of us and we could get them done.

"Mr. Sanders. You would not anticipate then any difficulty in delegating administrative powers under the division plan as provided in H. R. 5497?

"Commissioner Craven. I would not be here today, sir, advocating what I have, if I thought it was difficult to do. I do not see any great difficulty in it. I have organized many things in my life, on a large scale, and this is a simple one."

"Mr. Sanders. On pages 21 and 22 of your prepared statement, you outline five restraints upon the ability of a licensee to exercise his contractual obligation; that is, five restraints upon his contractual powers. I expect that is what it would be considered.

"Commissioner Craven. Yes, sir.

"Mr. Sanders. In your opinion—I think that you have already expressed it—but I would like a clarification of it—do you believe that those five limitations that you recommend would cure the evils that have been discussed by other witnesses as inherent in the present option time control by networks?

"Commissioner Craven. Of course, I do not see the same evil that they do in the option time. I feel that option time is absolutely essential for the efficient conduct of network operations, absolutely essential, for a cohesive national distribution of programs. I have had practical experience in the broadcast field in which I tried to operate on a system somewhat similar to that, with no ability to secure firm time options, and the proposition failed of its own weight. We could not deliver the time.

"Now I can see some merit in what I will call the majority's contentions, but I can see some impracticalities, and it is for this reason that I suggested these compromises. I think this will accomplish much better the objectives of the majority of the Commission, than the rules that they give. I felt that they had over-emphasized commercialism. I prefer to emphasize public service.

"Now, I know that the broadcasters must live. It is not a charitable business. They must have support, and I recognize that, but it seemed to me that the rules—in effect the rules proposed by the majority, the effect of those rules was to indulge more the natural and human desires for profits. I feel that the type of legislation I have proposed here lets profits take their proper place, but emphasizes the thing I think most essential to radio, and that is public service programs, not from the standpoint of commercialism, but from the standpoint of free speech."

"Mr. Sanders. Are you familiar with the type of authorization issued in connection with Radio Station KOB?

"Commissioner Craven. Yes, sir.

"Mr. Sanders. Are you familiar with that particular case?

"Commissioner Craven. Yes, sir.

"Mr. Sanders. Just what experiment is now involved in that particular case?

"Commissioner Craven. Of course, I want to be fair with the majority. I happened to vote against that the last time, because I did not think it was an experiment. And, that is a matter of opinion. They are operating at the present time on a frequency which is a clear-channel frequency, with some type of experimental authorization or special experimental authorization, so that they can secure information concerning the interference and the effect of such interference upon the service of the existing station on the channel. I think they have operated long enough and have sufficient information to tell what the interference is. It exists and we know it and we might as well face the issue and have a hearing such as the type I propose here, if they want to go ahead and grant them.

"Mr. Sanders. Now, of course, I think that every one recognizes the necessity of the Commission having the power to authorize experimental work. Progress, of course, would stop if we did not.

"Do you, or do you not think it would be desirable for some limitation on definition of the type of authorization that might be given by the Commission to be written into the statutory law in regard to these experimental licenses?

"Commissioner Craven. I think it would be very helpful to a person like myself to have something in the legislation describing the different types of authorizations, and in that connection we do have a certain type of special authorization which I think is justified—short-lived authorization—coming on at some special hours, or some special time for special purposes, and I think that those types have merit. I prefer to have it written into the law.

"Also I feel that there may be some factor in the common-carrier aspect. We should perhaps have greater freedom of action in the common-carrier aspect, such as in connection with particular shipping, to give some special type of authorization, such as extending the points of communication; extending to some of these radio stations in the international field.

"I think that the point of the gentlemen who testified on that—I forget who it was—was pretty well taken. On the other hand, in extending it, it gives authority to do that type of authorization, and I think it ought to be on a temporary basis so that the competitive aspect will finally get down and be heard in the event there are objections.

"Mr. Sanders. On page 23 of your prepared statement, in a paragraph toward the bottom of the page, you say that: 'no distinction is made between the qualifications of licensees for various classes of stations which the Commission may license.'

"In your discussion of that topic, would you include experimental licenses as coming within the particular discussion?

"Commissioner Craven. You mean for pure experimentation?

"Mr. Sanders. Yes.

"Commissioner Craven. No, sir. I think it ought to be wide open—any one, any person, ought to be encouraged to experiment, if you limit it to true experimentation.

"Mr. Sanders. But it is your belief that any one authorized to conduct an experiment, whether at a radio station or not, that the type of authorization should be authorized in the statute?

"Commissioner Craven. Yes, sir.

"Mr. Sanders. Or clearly defined, more clearly defined than it is now?

"Commissioner Craven. Yes, sir. One of the things that I thought was important is, sometimes there is going to be a difference of opinion, honest difference of opinion, between the Commission and an inventor as to the value of the service. At the present time we have the absolute right to terminate experimental licenses without a hearing. I think that in the future it is going to be advisable if we had these differences of opinion between, we will say, the staff of the Commission and the inventor, clearly defined by hearing, so that our judgment as to an application of a new invention to the service, to the public, can become, as a result of an investigation or hearing, in which all of the factors can come out and be stressed, and perhaps subject to review by the courts in the event we are arbitrary or capricious."

"Mr. Sanders. You have made it plain that you look for great changes in the radio communications field in the near future?

"Commissioner Craven. Yes, sir.

"Mr. Sanders. Is it your opinion we should postpone any amendment to this act until those changes have taken place, or do you believe we should amend the act in certain particulars to anticipate the proper happening of these problems. What are your views on that?

"Commissioner Craven. I think that we should amend the Act along the lines similar to the suggestions in the Sanders bill. I do not want to be tied down to the details of the Sanders bill. I believe in the principle of it. I think the principles are sound.

"I think you should enact legislation now in order to guide us. I know I would appreciate it very much. It has been a very unsatisfactory thing for me to be on the Commission and in some of these matters not be able to conscientiously agree with my colleagues, and I find that there is a difference among us to our conception of what the Act means. Now, that is an unfortunate situation. If you can clarify it, you are doing something constructive, in my mind.

"Mr. Sanders. In connection with this newspaper controversy, Mr. Craven, have you any views, or any opinion, as a member of the Commission, as to whether or not the Commission has the power to bar newspapers from operating radio stations?

"Commissioner Craven. I am firmly convinced, as I read one of the cases, that in two or three cases, two at least, decisions, the Commission has not got the power to make the rule.

"I voted against the investigation of the newspapers, not because I felt that they should not be investigated, but because there was a hesitancy on the part of the Commission not to confine itself to what recommendations if any should be submitted to Congress in the premise—I think we should have faced the newspaper question. I am perfectly willing to face it and present it to Congress. On the other hand, the other members of the Commission felt differently I believe than I do. Some of them have made their minds up. But, our law department gives us a memorandum which, in my opinion, is interesting. This is a memorandum to the Commission from our general counsel and contains this statement, having to do with the decision of the United States Court of Appeals for the District of Columbia in the Stahlman case. That is where one of the litigants, respondents in this present newspaper investigation, refused to testify on the grounds that the Commission did not have jurisdiction and the matter was taken to the Court of Appeals which found that no harm had been done yet; that the Commission had power to make an investigation, but it had not done anything, as I understand the decision of the court, in the way of making any such rule; but that that was all in the future. Therefore, Mr. Stahlman lost his case, but that decision indicates, as I understand it, that the Commission did not have the rule-making power. Nevertheless, our general counsel states—I would like to submit this whole memorandum, in fairness to the general counsel if I may.

"FEDERAL COMMUNICATIONS COMMISSION

"INTER-OFFICE MEMORANDUM

"For: Information

"To: The Commission.
"From: The General Counsel.
"Subject: Comments on Opinion of the United States Court of Appeals for the District of Columbia in Stahlman v. Federal Communications Commission, No. 8039.

"The case of Stahlman v. Federal Communications Commission involves the validity of a subpoena issued by the Commission requiring the attendance and testimony of James G. Stahlman before the Commission in connection with the investigation conducted by the Commission under Orders No. 79 and 79-A.

"The Commission had issued a subpoena to Stahlman requiring him to appear and testify in connection with a newspaper hearing being conducted under Orders No. 79 and 79-A. When Stahlman refused to appear, the Commission applied to the United States District Court for the District of Columbia for an order requiring Stahlman to appear and testify as required by the subpoena. This order was entered by the District Court, and Stahlman appealed to the United States Court of Appeals for the District of Columbia.

"The Court of Appeals affirmed the order of the lower court. The court held that section 403 of the Communications Act specifically empowers the Commission to conduct the hearing contemplated by Orders No. 79 and 79-A and that the subpoena was therefore proper.

"The court, however, went on in its opinion to include the following:

> "'If in this case it had been made to appear, as counsel for appellant insist, that the Commission's investigation was

> solely for the purpose of the consideration or adoption of a hard and fast rule or policy, as the result of which newspaper owners may be placed in a proscribed class and thus made ineligible to apply for or receive broadcast licenses, we should be obliged to declare that such an investigation would be wholly outside of and beyond any of the powers with which Congress has clothed the Commission. For we have previously held that there is nothing in the Act which either prevents or prejudices the right of a newspaper, as such, to apply for and receive a license to operate a radio broadcast station. Tri-State Broadcasting Co. vs. Federal Communications Commission, 68 App. D. C. 292, 96 F. (2d) 564. Further consideration confirms that view.
>
> " 'The Communications Act requires no more of an applicant for a radio license than proof of citizenship, character, and financial and technical qualifications to operate in the public interest. Possessing these, the applicant's eligibility is unchallengeable, assuming there is an unused frequency free of interference with an established station.'

"It should be noted that this statement by the court is pure dictum. The validity of any possible regulations on the subject of newspaper ownership of radio stations was not involved in the appeal. As Mr. Justice Edgerton said in his concurring opinion:

> " 'Since the Commission does not appear to have forbidden common control of newspapers and broadcast stations, or to have found that such control is contrary to the public interest, or to have initiated an investigation with a view to such a finding, we need not determine whether it should or could do those things. I express no opinion on that question. I think we should wait until it arises and the interested parties, including the Commission, are heard upon it. In other respects, I concur in the opinion of the court.'

"Furthermore, even the dictum itself is not as broad as might appear at first glance. Its scope is greatly narrowed by the following language which appears later in the opinion:

> " 'In the case we have, the Commission in its supplementary order has specified the subjects about which it wishes to obtain information. These are: Whether the joint association of newspapers and broadcast stations tends to prejudice the free and fair presentation of public issues and information over the air; whether such association tends to restrict or distort the broadcasting of news or to limit the sources of news to the public; whether such association affects freedom of access to the radio forum for the discussion of public issues, or unduly limits access of news gathering services, to the injury of the public. From the other side of the picture, the Commission proposes to inquire whether association of newspapers and broadcast stations will result in utilization of improved facilities and experienced personnel in the procuring and dissemination of information, and whether such association may tend to insure greater economic stability and encourage maximum technological development, and finally, what considerations influence newspaper interests to acquire broadcast stations. These subjects, except perhaps the last named, are clearly within the inherent powers of the Commission.'

"This language indicates that newspaper ownership may be considered by the Commission in passing upon individual applications and indeed even seems to suggest that rules might be made with respect to newspaper ownership as long as they are not hard and fast rules barring newspaper ownership of stations under any circumstances. The language also clearly contradicts any suggestion in the dictum first quoted that the Commission in passing upon applications may consider only the citizenship, character and technical and financial qualifications of applicants.

"Moreover, an earlier decision of the court (by Justice Groner) clearly indicates that the Commission has the power to consider factors other than the citizenship, character, and technical and financial qualifications of applicants in passing on applications and also the power to formulate general rules or policies with respect to such factors. Thus in Pottsville Broadcasting Co. vs. Federal Communications Commission, 69 App. D. C. 7. 98 F. (2d) 288, the court on an appeal from a denial of an application for a construction permit remanded the case to the Commission with directions to reconsider the question whether a construction permit to build a local station should be granted to a person not a resident of the town in which the station was to operate. The reason given for the remand was that the Commission had not shown that it had adopted a general policy with respect to the operation of local stations by non-residents. This action of the court clearly indicates not only that the Commission in passing on applications may consider factors other than citizenship, character, and technical and financial qualifications, but also that it has the power to promulgate general rules or policies with respect to such factors.

Telford Taylor,
General Counsel.

"Commissioner Craven. Now, looking at it as a layman, I do not know whether we have got the rule-making power or not. I think Congress ought to make it clear.

"Mr. Sanders. Is it your view, as a member of the Commission, that this question of the limitation of the right to operate radio stations upon newspaper owners and similar classifications, should be passed upon by the Congress and not by the Commission?

"Commissioner Craven. I have advocated that. I have advocated it most strongly as a matter of basic national policy which is involved here and I think we are an agency of Congress and we ought to come to you first and find out what you want us to do."

"Mr. Sanders. That is all I have.

"Mr. Brown. Mr. Chairman.

"The Chairman. Mr. Brown.

"Mr. Brown. Commander Craven, how long have you been connected with the Commission in various capacities?

"Commissioner Craven. Since 1930.

"Mr. Brown. I do not mean as a member of the Commission, but in various capacities?

"Commissioner Craven. Since 1930; 12 years.

"Mr. Brown. Twelve years?

"Commissioner Craven. Yes, sir.

"Mr. Brown. During that time, there has been a great change in the personnel, has there not, in the Commission?

"Commissioner Craven. Yes; a very rapid change. We have had several different chairmen and several different philosophies expressed.

"Mr. Brown. Has that rapid change or turnover in personnel of the Commission itself and of the ranking employees or aids had effect on the general policies of the Commission?

"Commissioner Craven. I think it has; yes, sir. I mean, of course, it is difficult when you get continual changes, new men coming in to a new field, to get a continuity of policy.

"Mr. Brown. Has that been a detrimental or a helpful thing, those changes?

"Commissioner Craven. I have felt for a very long time that the Commission, since the 1934 Act, and prior to that, the Radio Commission has not ever formulated an adequate national communications policy, either within the framework of the Act, or such as should be recommended to this body. I have with me certain recommendations that I submitted some time ago to the Commission that were never considered. We never seemed to have time. We were always changing. These were submitted when Mr. McNinch was there, yet it was tabled at that time for lack of time. (Insofar as it relates to radio broadcasting the Resolution reads as follows:)

"Broadcasting

"This involves the reconsideration of the relationship of Government to broadcasting so that there will be established a revised policy which will insure that broadcasting will be used in a manner which will safeguard freedom of speech and at the same time be effective for the promulgation of basic information to the public concerning the social and economic welfare of the Nation. The policy of private operation of broadcasting free from political control should be reaffirmed."

"Mr. Brown. Now, I would like to go back, Mr. Craven, for a moment to the statement that you made in answer to questions of Mr. Sanders, in which you read a statement of the chief counsel which seemed to be to me a rather surprising interpretation of that court decision.

"Commissioner Craven. Yes, sir.

"Mr. Brown. Some time ago there was filed with the committee a memorandum showing the age of the attorneys employed by the Commission. May I ask the age of your chief attorney?

"Commissioner Craven. I am afraid I do not know, but he appears to me to be a young man.

"Mr. Brown. Is his grade P-4?

"Commissioner Craven. He gets $9,000 a year.

"Mr. Brown. That is the highest rating I see here and a rating in which only one attorney is employed by your Commission. I see the age 34.

"He interprets judicial decisions, judicial decisions of the court of appeals, as I take it from that statement that you just read.

"Commissioner Craven. I think he tried to explain it to the Commission.

"Mr. Brown. In other words, he judges judicial decisions.

"Commissioner Craven. I would not want to say that.

"Mr. Brown. For your Commission.

"Commissioner Craven. I would not want to say that, sir, to that extent. I think that he tried to advise the Commission as to what these things mean. Now, that may be—

"Mr. Brown. Well, the Commission is unable, unfitted to read the decision of the court of appeals in this case and know what it means?

"Commissioner Craven. I do not think they are unable or unfit to do it. I have a good deal of esteem for my colleagues on the Commission. I think they can do it. I can do it.

"Mr. Brown. Do you agree with the interpretation of the attorney?

"Commissioner Craven. Unfortunately I do not.

"Mr. Brown. Was this ruling by the attorney requested by the Commission?

"Commissioner Craven. No, sir; I do not think so.

"Mr. Brown. But, it came within the province of the attorney to interpret the court decision for the benefit of the Commission and for the administration.

"Commissioner Craven. I think he was trying to be helpful on it, sir. I really do. And, I also appreciate any information that I can have.

"Mr. Brown. I understand that this case is being appealed to the Supreme Court, is it not?

"Commissioner Craven. I am not sure. I think it is.

"Mr. Brown. And perhaps in the final analysis the Supreme Court of the United States may interpret the law on this particular matter.

"Commissioner Craven. I am not certain whether this is being appealed to the Supreme Court or not, sir. I have not got the information with me. I can supply it later.

"Mr. Brown. And if the Supreme Court renders a decision, will you request your chief counsel to interpret that decision and—

"Commissioner Craven. I will not. I presume I would appreciate it.

"Mr. Brown. Now, going to the newspaper end of it for just a moment. As I understand your position, you believe that the fact that a man is a blacksmith, or a shoemaker, or a newspaper publisher should not bar him from participating in radio broadcasting?

"Commissioner Craven. That is right, sir.

"Mr. Brown. Has there been any case before your Commission in which licenses have been refused or transfers have not been made or not been approved, because of the fact that the person involved was a newspaper publisher?

"Commissioner Craven. I think in one case. There were two applicants, one not a newspaper publisher, and one a newspaper publisher. Both had made good cases.

"Mr. Brown. The Commission in that instance chose the one who was not a newspaper publisher in preference to the one who was a newspaper publisher?

"Commissioner Craven. We had certain license applications which were set for hearing on the newspaper issue. I recall one at Allentown, Allentown Radio Station. There were others, I believe, that were involved, that I think that up to a recent time, the newspaper question was not taken into consideration in a final disposition.

"There was a split vote on one, four to three decision, in respect to acquisition of a station in Ohio, I believe, by a newspaper.

"Mr. Brown. Will you add there the name of that station?

"Commissioner Craven. It is at Canton, Ohio. I have forgotten the call signs.

"Mr. Brown. The Canton Repository was the newspaper?

"Commissioner Craven. I have forgotten that, I am sorry to say.

"Mr. Brown. That was very recently.

"Commissioner Craven. Very recently we adopted Order 79 and since then we have had also called newspaper applications for radio stations placed in the pending file.

"Mr. Brown. In these particular decisions, were any reasons given by the Commission for their action, or was it just simply ordered——

"Mr. Brown. What is this pending file in which you place these applications for newspapers for radio stations or transfers?

"Commissioner Craven. Well, when an application is made for either a transfer or for a new station in which there is any question whatsoever that the newspaper interest is involved in it, the matter is not acted upon, but it is placed in the pending file, awaiting the outcome of our decision on Order 79, which is the newspaper investigation.

"Mr. Brown. Well, of course, that Order No. 79, as I understand is simply for an investigation and not one that will bar a newspaper; is that right?

"Commissioner Craven. That is for an investigation; yes, sir; but nevertheless——

"Mr. Brown (interposing). Do you have any other cases in this pending file, or is this just a special repository for newspapers.

"Commissioner Craven. I think it is a special repository, the way I look at it. As I stated before, I was forced to vote against the newspaper investigation because of the fact I felt that it ought to be a matter referred to Congress, and I personally have not had so much fear with respect to newspaper operations of radio stations. I do recognize that there is a problem of public policy involved in this question of centralization of control, which I think is your problem.

"Mr. Brown. But you feel that it is a problem which the Congress should pass upon?

"Commissioner Craven. That is right; yes, sir."

"Mr. Youngdahl. Mr. Craven. I was very much interested in your statement this morning in connection with no monopolies contrary to public interest, sound competition, and unsound competition.

"Of course, it is needless to say that every member of this committee is absolutely against monopoly. On the other hand, do you not think that the thing can be so drastically governed by rules and regulations that you might create a condition of unsound competition and thereby injure the public interest?

"Mr. Craven. Yes, sir; I do. Might I elucidate some of my thoughts on that particular matter?

"Mr. Youngdahl. Yes.

"Commissioner Craven. Of course, I again state that I am not an attorney at law and I approach these matters from a practical standpoint of a layman and with a background of a good deal of experience in the broadcasting business.

"It is my conception of the antitrust statute dealing with restraints upon competition, that the underlying factor there is public inerest.

"Those restraints which are unreasonable, of course, are contrary to public interest. Those are the restraints which of course are contrary to public inteest. I think that you can have certain national restraints which perhaps are not unreasonable and, therefore, are not contrary to public interest.

"Now, if the Communications Commission in the field of broadcasting begins to put rules and regulations into effect so circumscribing a natural force and the natural advantages of radio, I feel that that would be contrary to public interest.

"Now, furthermore, I do not feel qualified to, personally, on the Commission, to deal with charges or alleged charges of violations of the antitrust acts. I feel that if I should deal with those personally and take them into consideration that I might very easily do an injustice to the broadcasting licensee. I think he is entitled to have, if there is any allegation of unreasonable restraints upon competition, is entitled to have a trial in the courts, and an adjudication by the courts, by men who are competent to deal with those particular types of violations of law.

"In the chain broadcasting report of the Commission, I felt that there were two types of monopoly or antitrust violations, if you wish, involved.

"One type, which was alleged to be unreasonable restraints upon competition, which in my opinion was not within the jurisdiction of the Commission at all, and in which we, if we tried to regulate that aspect of it, ran the danger of creating an injustice.

"The other type of monopoly was that which has to do with the licensing of stations, too many stations to one person. I think that is entirely within the jurisdiction of the Commission and that that is power which the Congress gave to us, and that is what they meant when they discussed monopolies with respect to chain broadcasting.

"Now, when it comes to business practices, however, I do not believe that Congress gave us that authority to deal with unreasonable competition, until after an adjudication in the courts. I think that is plainly in there. Of course there is some language in the act that says we have the power to regulate chain broadcasting. I forget the section at the moment. I do not think that implies we have the power to regulate everything about chain broadcasting.

"Mr. Youngdahl. Do you feel that the application of the so-called networks rules on the networks would bring about unsound competition so that in the final analysis the public would be injured as a result thereby?

"Commissioner Craven. Yes; I do. If I could take a little of your time, I would like to discuss the merits of those rules. I do not want to take too much time, though.

"Mr. Youngdahl. Go ahead, if it meets with the wishes of the Chair.

"The Chairman. Yes.

"Commissioner Craven. Of course my views of the rules are contained in the minority and supplemental reports on chain broadcasting as well as in my testimony before the Senate Committee investigating this subject matter. Of course I do not want to repeat all of that in detail. Furthermore, since the Senate hearing, the Commission has modified some of its rules. While these modifications remove some of my original objections, I still feel that from the standpoint of merit the rules are susceptible of further improvement.

"I am thoroughly of the opinion that the aggregate effect of the rules is unsound. Now, I recall that in the original draft of the report there was a statement to the effect that it could not be determined what would be the competitive effect of the proposed contractual provisions, or how they would work out in actual practice, and that this matter would have to be examined later in the light of all developments in the field of network broadcasting. I was somewhat shocked when I saw that in the original report. Nevertheless, the Commission set its course and started on its voyage of adventure into the realm of social-economic experimentation. Very soon thereafter the Commission itself changed the original rules, indicating to me that the original rules were unworkable, just as I had contended. Today I have no more assurance that the present rules are not experimental in character. To me it is undesirable to impose radical changes in a successful existing system when the result cannot be predicted. A more moderate and evolutionary course would be safer, in my opinion. The step-by-step method of imposing new reforms is preferable and most desirable when the outcome of the whole reform cannot be predicted.

"I think that everyone will concede that among the objectives we all desire in broadcasting are:

"Good program service to all people, not only in the best markets, but also in the other and less profitable markets, as well as in the vast rural areas far away from the radio markets, and also

"That the utilization of the natural advantages of radio so as to enhance its value as an effective medium for the dissemination of facts and opinion throughout the nation is very desirable. I emphasize that because I think even today that is more important than any other thing.

"Then we should have sound economic structure to make certain the attainment of the first two objectives.

"Now, the factors of competition, diversity of control, methods of program distribution, sales organization, composition of networks and responsibilities of licensees are corollaries to these three objectives.

"We must remember that broadcasting is not charity, and that licensees must live, if they are going to survive and render service. On the other hand, however worthy and human the desire for profits may be, it is in natural conflict with the giving of free service during the hours which have proved to be the most valuable hours from a commercial standpoint. That is a natural law which I think bears on this situation.

"Now advertisers furnish the cash and consequently are the persons who interest the broadcaster tremendously. Also broadcasters are confronted with a multitude of advertisers, some preferring the network method of reaching the public while others prefer national spot business in the best or selected markets. We also have the local advertisers. In any event, the national advertisers prefer the best stations in the best markets and the local advertisers prefer the best stations in their own markets. That is perfectly natural.

"Some of our difficulties might be overcome if there were at least four independent competitive networks in which each affiliate had a real voice in the character of service, and where each network was composed of comparable units, not only from a national standpoint but in each of the principal markets. However, even in this ideal reorganization of facilities, it would be necessary for each network to be cohesive and efficient.

"If the Congress and the Members of the Congress, on important questions, cannot reach all of the country and can only reach a part of it on important matters, what good is radio, as I look at it, as a medium for free speech.

"Mr. Youngdahl. After all, if you will excuse me for interrupting you there, we must also consider the public.

"Commissioner Craven. That is right.

"Mr. Youngdahl. And is not that today one of the few means left by which the public might hear discussions of public questions?

"Commissioner Craven. That is the way I feel about it, sir.

"Now, as I envision the aggregate effect of the rules, they do not encourage a situation in which there is either cohesiveness or efficiency. They tend to overemphasize commercialism, in my opinion. For example, prior to the new rules, when a network did not exercise its option, the affiliate with an exclusive contract could provide either a public service sustaining program from its own network, a local public service program, a local commercial, or a national spot commercial program. It could not substitute a commercial program from another network.

"Under the new rules, as I understand them, while stations may have first call upon their own networks, each station has the opportunity to make itself available to all networks. That adds another commercial source. Consequently I feel that we will have less time than now for public service programs, and that although the rules are intended to safeguard against this contingency, I doubt their effectiveness in this respect. I believe that if we permitted natural forces to counterbalance themselves we could be more effective than by trying to harness natural forces by Government fiat. Moreover, we cannot legislate for all conditions and economic circumstances of the future. I just do not know what the future holds in that respect and I hesitate very much to put arbitrary rules or economic barriers into effect, such as the rules adopted by the Commission, because I am afraid of the future.

"Now, another aggregate effect of the rules seems to be that they give encouragement to the application of the natural tendency to use the best stations in the best markets. While some of the chain companies at the present time may have the best stations in the best markets, the new rules do not affect the natural force where the advertiser is the one who pays the cash and consequently gets what he wants. Therefore, with pressure on the various chain companies from the advertisers to make affiliation contracts with the best stations, we may find that the best stations will be affiliated with all chains and that the smaller stations will be farther away from profitable operation than they are today. I think that unsound. I think we ought to have every type of station profitable, in good markets and poor markets, if possible.

"There are, of course, certain advantages to the majority's rules, but in the aggregate I think that the disadvantages outweigh the advantages."

"Mr. Youngdahl. Would you feel, Mr. Craven, that the imposition of the network rules during our war effort might cause such confusion as would be dangerous to the war effort?

"Commissioner Craven. The network rules in their present form with time options, in my opinion, revolutionize the very basis of doing business in broadcasting. I have no objection to rules which do not revolutionize the fundamental business operations, and I feel that this is an unsound time to do it. We need good radio broadcasting service now. We need to help such chain organizations.

"Mr. Youngdahl. Do you feel that the radio organizations today have given good service so far as their national defense effort is concerned?

"Commissioner Craven. I think they have given excellent service. I do not know how to suggest any improvement, because they have given such excellent service. Of course every one is open to improvement."

"Mr. Youngdahl. If I did not misunderstand the Commissioner's testimony yesterday, the Chairman's testimony, he said that at the present time under the present arrangement, the networks really have control of all of the stations in their network.

"Now, I was interested in that bit of testimony and made some inquiries yesterday afternoon and last evening and I have some figures here that I am going to submit to you and ask you if you know anything about that particular situation.

"I am advised that during 1941 over one network 388 stations refused 629 individual network commercial programs, representing a total of 289 hours and 20 minutes. The general reasons for the refusals were local political speeches, local talent programs, probably local educational and commercial traffic.

"Now it seems to me by those figures that that would show that there was not complete control over these stations even under the present arrangement.

"Could you enlighten us on that, Mr. Craven?

"Commissioner Craven. I am not familiar with the facts and figures. This is the first time that I recall hearing them; but by and large it is my opinion that in the past there was inequality between the network company and the affiliates. I think it was more in favor of the network company than in the affiliates, and I have suggested everywhere I have been an increase in the bargaining power of the affiliate and a greater voice in that particular, and a greater voice in the character of the service.

"On the other hand I do not believe that by and large that vast operation of the networks, even though they are now considered unsatisfactory were in a sense a utilization of control over the affiliates which prevented the affiliates from carrying out what their concept was of public interest.

"Mr. Youngdahl. Assuming that the figures I gave you are correct—and I assume they are, because they were gotten from reliable sources—that would not show complete control by the networks over their affiliated stations, would it?

"Commissioner Craven. That is true, yes. I just cannot conceive of how, under the new regulations, if they were to be imposed, giving to the stations the right, freedom, to take any program of any network how that would bring back control to the local stations and as the Chairman said that under the present system they have lost their identity.

"I have tried to be as fair as I can with a majority of their opinions. Unfortunately I just do not agree with them. But, I think they are entitled to their opinions, and I think that they are sincere in them.

"Mr. Youngdahl. Then another thing that is somewhat troubling me, and I would like to be enlightened on it, is that the Chairman of the Commission testified that it was his opinion that just as many people as possible should hear these outstanding programs. I believe he mentioned Toscanini, and some others, some outstanding musical programs, and so forth.

"Well now, if the network rules were to be imposed, it seems to me that your listening audience would be reduced, because you are simply causing confusion in the field of competition, and the stations would be free to take any network program that they wanted to, and instead of planning, definitely planning on let us say 120 stations for a certain program where the advertiser would spend $50,000, that network might be cut down to 60 stations. Well, if that were the case, surely the advertiser would not spend that original $50,000 on those 60 stations, when he had planned to spend that amount on 120, and, therefore, the quality of your programs would be greatly affected.

"Commissioner Craven. I think I follow you, sir. It has been my opinion that generally speaking the aggregate of these rules is to curtail the value of this media as a forum for the dissemination of facts and opinions. I have felt that the general effect of the rules is to concentrate, since the sellers control and since the force of business controls, naturally, is to concentrate business programs into the best stations.

"Now naturally I guess that would be the fewer and the higher-powered stations or the stations in the best markets, regardless of their power, and I do not know that any advertiser is going to buy something if he can secure good coverage in the purchasing places or the places where the purchasing power is the best. He wants returns on his money.

"There may be some types of advertisers who would want to reach the entire population and desire to pay for a great many stations in order to afford service, but the general tendency, as I see it, particularly in times of economic depression or lack of sales such as we have now, would be to select certain stations.

"I had hoped—I do not know whether this is practical or not—that we could have, as I said before, four good networks, each endeavoring to sell all their stations as best they can to national advertisers and at least make such arrangements, looking at the thing as a whole, whereby they think in national terms rather than perhaps detailed market terms. I do not believe that the Commission, however, should try to force that. I do not know much about economic laws of the future, and I certainly do not know enough about them to know whether that can become practicable or not; but I certainly could give encouragement to any move of that sort on the part of the chains.

"Mr. Youngdahl. In the testimony, as I remember it, it has been stated that the broadcasting companies have spent considerable money on research programs and the building of programs that the public might enjoy, might be educated in, and of great value to the public.

"Now, in the event that unsound competitive conditions were created as a result of further regulation or particular regulation then, of course, it probably would mean that those sums of money would have to be reduced and less money spent by broadcasting systems along those lines.

"Commissioner Craven. That is true. However, if I were back in the broadcasting business, I would be thinking of the future and I would be tremendously interested in furnishing the new service. If I felt that arbitrary rules such as I believe some of the rules of the Commission to be, were going to affect my pocketbook, I would be very much discouraged in putting forward such expenditures.

"Mr. Youngdahl. It might be a matter of necessity, Mr. Craven, to cut down.

"Commissioner Craven. It might be."

"Mr. Hinshaw. When we begin to turn over to administrative agencies of government the powers to control the operation of business methods of these broadcasting companies as individuals and collectively as chain organizations, to the extent where such control can be exercised through the back doors to permit censorship, do you not think that we are endangering this whole system of freedom in this country?

"Commissioner Craven. That has been my whole background of thought. That is the underlying thought of every bit of testimony I have given here in my statement.

"Mr. Hinshaw. I notice on page 16 of your prepared statement, in the second paragraph, you state:

" 'I was and still am particularly interested in having the question of the Commission's power determined prior to changing the entire basis of the business structure of broadcasting. In this and many other instances I think the rendition of declaratory rulings would serve a useful purpose.'

"I wish you would enlarge upon that, if you will.

"Commissioner Craven. What I had in mind there, of course, is the recent interest with respect to the chain broadcasting regulations. I sincerely felt that the Commission does not have the power to make the type of rules that they did. I think they were invading a jurisdiction which was not ours; a jurisdiction which belonged to the Department of Justice and the courts, or else it belonged here in Congress. We should have made recommendations here to seek the power and do it in that way. However, we went ahead and got out a set of rules, notified the entire industry that these rules were going to be placed into effect, and I believe that broadcast licensees generally respect the Commission's power more than has been indicated, sometimes.

"They started to comply with this thing.

"Now, I felt that that was slightly unfair when there was legal doubt on the thing. I was perfectly willing to have my opinions tested and ruled upon by the courts and still am.

"However, I felt the better way of doing it was to declare, make a declaratory ruling, that we did have the power or that we did not have the power, and have the court rule on that fact. That would have settled the matter then and we would not have to worry so much about it. In the meantime, of course, we are getting court adjudication. It has already gone up to the Supreme Court and has not yet gotten down to the merits of the rules, or whether the Commission has the power.

"I think from the standpoint of speed and dispatch of justice that preparatory rulings would be better than the present procedure.

"Now, I am not a lawyer, and I may be wrong on it.

"Mr. Hinshaw. Well, it appears to me that lately the Commission has been pushing itself into fields that have not been heretofore thoroughly explored, to find out where the senses were, probably in order to find out where these limitations of law may lay and that the rules and regulations that have been published recently have been in the direction of finding out how far they could go without being stopped. That is a rather dangerous procedure, it seems to me.

"Commissioner Craven. I have felt that, on the Commission, since we feel and deal in the media of free speech primarily, that we ought, where there is doubt about our power, any reasonable doubt, we should come here and seek the power.

"Mr. Hinshaw. Naturally when the Congress first discusses a principle and writes it into a bill or an act, there is considerable doubt in the minds of Congress as to how far the extent of that law may lead, and it requires some experience in the administration of such a law to determine how far it should be carried. Consequently when we find that the law is being administered in such a fashion that people complain of the administration of it, it seems to me that it is the right time for the Congress to begin to set up the limitations that it perhaps should have set up in the first place, if it had known what those limitations should have been.

"Commissioner Craven. I think I stated in my prepared statement that I felt the present Communications Act of 1934 is excellent legislation and, of course, I feel that any law that is written, if it is poorly administered, of course, defeats its purpose. On the other hand, even a poor law can be administered sometimes by capable people and make the best situation.

"I feel that at the time the Congress wrote the Communications Act of 1934 we did not have the questions that are now before us. Had they been there, I have the feeling that the Congress would have limited and specified with greater particularity the Commission's powers and the rights of the licensees, the rights which they may have, and perhaps their responsibilities.

"Mr. Hinshaw. Has the Commission, to your knowledge, received any requests on the part of any licensee to intercede in protecting the licensee from the network to which it might belong?

"Commissioner Craven. I do not recall that, sir. I do not recall any one doing that. And, I presume that the nearest thing that comes to it is the activity of the Mutual Broadcasting System in trying to secure action by the Commission in respect to the chain broadcasting regulations. I think that is the nearest thing I know of. I do not know of any particular instance.

"Mr. Hinshaw. Do you know of any member of either of the three broadcasting systems that has called upon the Commission or any member of the Commission to intercede to protect them against the rules or regulations or contracts of the networks.

"Commissioner Craven. I do not know of any, sir. It may have happened, but I am not aware of it.

"Mr. Hinshaw. Complaint has been made before the committee, as you doubtless know, that in one set of cases where a radio station belonged to one network and was taking a program from another network, for a particular hour, on which the first network had options, that the first network could then come along and freeze off the program from that particular station and, therefore, by doing that depreciate the value of that program to the network which produced it as a whole, because there was not that additional income coming to that station. Do you care to comment on that subject?

"Commissioner Craven. I think in the first instance that we ought to be able to have time options and that they should be exercised within a reasonable time, less than 28 days, as I have suggested and that a chain could, so far as a commercial program is concerned, and ought not to have to give away to another commercial program when it has time options; but I do believe that the chain company should give way to a public service program in the event that the affiliate wants it. I do believe that it should give way if in the judgment of the affiliate, the particular commercial program offered is not in the public interest; but I do not see any objection to having firm business arrangements between the affiliate and the chain, as to option time.

"Mr. Hinshaw. In other words, if the members of X Chain sold time to Y Chain and was in on that particular broadcast that then the options to the X Chain should cease.

"Commissioner Craven. No, sir; I did not say that. I do not think I did. I hope I did not.

"What I did say is this: Suppose we have X Chain and X affiliate.

"Mr. Hinshaw. Yes.

"Commissioner Craven: I think that the X Chain and X affiliate ought to be able to make an arrangement in terms of specified hours for option time in which X Chain could be assured that they could sell certain time on that station with a reasonable expectation that they would be able to have the time when the option is finally exercised. Probably the option should be exercised before 28 days, to give the station liberty of action, in case the chain does not sell anything, to get something else.

"However, I think that the affiliate, if at a later time learns about the program and considers it not to be in the public interest, ought to have full power not to accept, without any penalty whatsoever.

"Secondly, I think that if the affiliate desires to substitute for that commercial program a public service program or program of outstanding national importance, he should be free to do so without any penalty.

"Mr. Hinshaw. I agree with that entirely.

"Now, I want to get at the point where X Chain and X station are together, but X station sells a certain time to Y chain, or agrees to produce a commercial program for Y Chain and then X Chain comes along and exercises its option on the time which has now been sold commercially to the Y Chain.

"Commissioner Craven. I do not think that the rules should prohibit X Chain from maintaining his option in so far as commercial programs are concerned on X affiliate, and I think that what X affiliate should do, if he wants to, is make specified hours available to Y chain and specified hours, so far as options are concerned, with X Chains and under these circumstances, so that he would not have that difficulty you speak of.

"Mr. Hinshaw. In other words, when he sells time to Y chain for a given commercial program, Y chain is under notice and the advertiser under Y Chain is under notice that this time is optioned to X Chain and he is liable to be removed from it, and consequently should make arrangements for some hour that is not optioned.

"Commissioner Craven. Yes, sir. I have no objection to any individual station under those circumstances if they so desire having certain hours optioned to X Chain and certain hours optioned to Y Chain, but I do not think we should prohibit a station from entering into an arrangement with only one, to have one chain take an option.

"Mr. Hinshaw. As I understand it—I do not remember the exact number—but I believe there are 25 cities in which there are three good stations, but not enough to go around among the four broadcasting systems, and it is the time of those 23 cities that is very largely under argument before this committee in the regulations that are presented and the testimony given.

"Now, do you think that in those 23 cities, arrangements can be made between the several broadcasting companies and the stations in those cities and that there can be equitable arrangements so that it is unnecessary to come in here and break down the entire broadcasting system?

"Commissioner Craven. I thought a long time ago, sir, but for unfortunate circumstances and the atmosphere concerning this whole matter it could have been settled, and that we could have gotten possibly some improvements.

"Mr. Hinshaw. In other words, that is, in these cities where we will say there are three broadcasting stations and four chains that want to broadcast, that there is no reason why the stations and the chains cannot so arrange their option time in those cities that it is unnecessary to break down the arrangement presently set up?

"Commissioner Craven. I think that can be done, sir. I admit that there is a feeling which has grown up now, I presume, that would make business relations more difficult than they used to be.

"Mr. Hinshaw. Have you any suggestion as to how that might be worked out?

"Commissioner Craven. Not now, sir, I have not.

"For example, in Cleveland, Ohio—I have recognized that as being a primary market—the fourth chain is at a disadvantage. I believe that the community could support a fourth independent outlet in which national advertisers would be interested, so that they could have a fair degree of competition. I see no reason why we should not add an additional outlet by the use of some ingenuity on the part of the Commission, as well as on the part of the various applicants. That same situation might apply to some of the other 23 cities, though I do not think at the particular moment where they are. As long as there are those primary markets in that condition, perhaps we could use some ingenuity in that respect.

"Now, where the engineering solution is not practical, I do not see any great difficulty personally in some of those 23 cities so arranging this matter where there is a sort of a comparable distribution, one network getting a break in one of the cities, and another network getting a break in another city. I think they could work it out.

"Mr. Hinshaw. In other words, it is a matter of getting together and using a little common sense.

"Commissioner Craven. That is what I think. I think by now the network companies have a little bit greater concept of public interest than they originally had.

"Mr. Hinshaw. Well, I hope that they will do that, and that the Commission will rescind its orders, certainly for the period of the war, so that the thing can be settled and settled amicably and we can go ahead with our business for whatever time it takes and then settle that question when we have more leisure.

Victory Programs

PLUGS RECRUITING WITH BASE BALL

Ed Allen, general manager, WIBA, Madison, Wis., comes up with a good recruiting angle on his popular evening sports show, six times weekly, 10:20-10:30, which may be used to advantage on certain other stations. With a big male listening audience, Army, Navy and Marine recruiting is station sponsored on alternate nights. A big male audience is assured by virtue of the fact that Madison is greatly interested in twilight ball.

Art Lentz, station sports commentator, handles all games over the park P. A. system. These are over at approximately ten o'clock or a little before. At 10:20 he is at the WIBA microphone with a complete résumé of the game that has just ended plus final big league and minor league scores. And recruiting gets its big play.

WHAM LOOKS AHEAD

Station WHAM, Schenectady, not only is doing a grand job in promoting the war effort, but also is looking ahead toward the peace.

William Fay, general manager, sends the following report:

Looking ahead toward post-war days, we are going to set aside, 7:30 to 8:00 P. M., EWT, on Tuesdays, beginning September 1, and weekly thereafter for the War Information Center of the University of Rochester and will produce a long series of discussions under the title, "The World Tomorrow." The purpose of the series is to focus public attention upon major post-war issues, which are already clearly indicated, and to point out that "The World Tomorrow" will be what we choose to make it. Both the University and WHAM hope to strengthen war morale and determination by encouraging America and the United Nations to keep in mind the kind of new world for which we are fighting.

It is expected that distinguished personages, familiar with post-war problems, will appear in these forums. President Alan Valentine, of the University of Rochester, will act as chairman for most of the programs, aided by Rochester professors and guest participants from other universities. Armin Bender, Director of the University's Office of Public Relations, and Charles Siverson, Program Director of WHAM, will be directly responsible for the series.

ON THE LOS ANGELES FRONT

Harrison Holliway, KFI-KECA, Los Angeles, reports that an offer of five hundred dollars in cash prizes to Boy Scouts and Girl Scouts Troops bringing in the greatest amount of scrap rubber is really producing results. At the moment the Alhambra California Troop Number 4 is leading the pack with 35,594 pounds.

KFI-KECA is buying as well as selling bonds too. Says Ernest Felix, Station Auditor:

First, we secured certain posters from the Treasury Department which we placed in all the hall-ways. At the same time we wrote a bulletin, explaining the payroll savings plan—"To All Employees"—and enclosed this bulletin in the pay check envelopes.

This resulted in some response; and then further results were obtained through the Personnel Department's direct contact with the employee. These contacts, of course, are strictly out of the "pressure" department.

We make it a point to secure new posters as they are released by the Treasury Department. And buttons are issued to the subscribers—which is one way of "advertising" among those who have not yet signed up.

Although not very many originally subscribe to the extent of 10%, we are finding that—after receiving their first bond—they are charged with so much enthusiasm and pride of ownership that they usually increase their payroll allotments.

We use the standard Payroll Allotment Authorization Cards (issued by the U. S. Government Printing Office) on which to keep our records, and find this method convenient and efficient. The form number is O-16-22610. We also make regular monthly reports to the Treasury Department on the progress we have made.

As a further inducement toward the purchase of bonds, we have arranged for sale of stamps at various points throughout the organization, including the reception desk. In this way, we are enabled to sell to the general public as well as to our employees.

WPAR'S BOND STUNT

Whether WPAR's idea for selling bonds would be a good one for your community would have to be checked with your local civilian defense officials. Anyway, it sold bonds in Parkersburg, West Virginia, and here it is:

In conjunction with the Presidential proclamation of Merchants for Victory, Parkersburg, W. Va. went all out in staging the largest parade ever held in this city.

With every unit of the Civilian Defense Organization represented the giant parade began to move at 11:00 AM headed by the Parkersburg Police and Mayor Earl Stevens, followed by the International Championship High School Band of Parkersburg High School.

WPAR, through its promotional department, arranged for every merchant to have a radio in his store, tuned to WPAR.

The streets were lined on both sides all through the business section of the city with men, women and children.

At precisely 12:00 o'clock the "air raid" warning whistles sent forth their wailing sounds. Immediately the "auxiliary police" took their stations, ordered everyone off the streets, and in less than ONE MINUTE the streets of the city were cleared. Everyone had entered the nearest store, where WAR BONDS AND STAMPS were placed on sale for the next fifteen minutes.

Merchants report a magnificent response in the sale of war stamps and many men were seen wearing boutenniers, the ladies wearing corsages of WAR STAMPS. Some were made with stamps of 10¢ denomination, others with 25¢, 50¢ and $1.00 denominations. Over $100,000 in War Bonds and Stamps were sold during the 12:00 to 12:15 period.

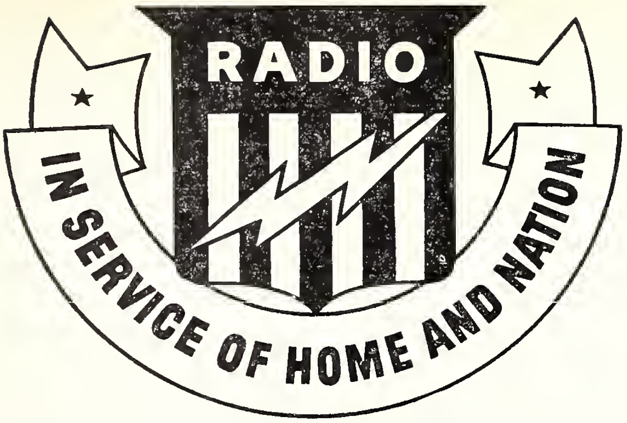
In addition to the reported sale of stamps, the defense officials headed by Major James P. Easley, liaison officer for West Virginia said the "ALERT" was perfect.

The parade preceding the alert was broadcast by WPAR as well as the ALERT at 12 o'clock, when the whistles sounded.

"Neighborhood Call," a fifteen-minute weekly radio series sponsored by the Office of Price Administration, and designed for the family circle, will start on July 10, at 7:30 P. M., EWT, on the RED Network.

With the narrator in the role of the friendly neighbor who drops in for a quiet talk with Dad and Junior and the "missus", their immediate problems under Rent Control, Price Control and rationing are discussed with the aid of occasional dramatic spots and homely analogy to bring home a point.

Scripts were written by Will McMorrow.


RADIO
IN SERVICE OF HOME AND NATION

The design for the radio shield created by WGAR-WJR and introduced at the Cleveland convention has been widely adopted throughout the industry.

John Patt, WGAR manager, reports that some 120 stations have indicated their adoption of this shield and are using it in various forms. For the information of stations we print herewith a replica of the shield. Any station desiring to use the shield on its stationery or any of its publicity is at liberty to do so.

The color scheme adopted in the original design was red, white and blue, but it may be gotten out in any combination of colors desired. If any station desires detailed information on the color scheme, we shall be glad to answer inquiries.

NEW GAS RATIONING

Radio men who *must* use a car in their work are given almost unlimited protection under the new gas rationing plan which becomes effective July 22.

Anyone who uses his car to go to and from work; who makes an effort to share his car with others; and who cannot show that other suitable transportation is available can get a B card (up to 470 gallons a month according to need).

If that isn't enough, additional gas can be obtained, according to need:

"1394.506 (k) By a worker (including an executive, technician or office worker, but not including salesmen) or by an employer, employer's representative or representative of a labor organization in travel to, from, within or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

"(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in the production or distribution of heat, light, power, gas, steam or water; or of irrigation, drainage, flood control, or sanitation systems; or of telephone, telegraph, RADIO or other communications systems.

"(1) By engineers, architects, technicians, supervisors, repair and maintenance men or other workers (but not including salesmen) to enable them to render services or transport materials and equipment necessary for construction, repair, installation or maintenance work (other than repair or maintenance of portable household appliances); or for rendering indispensable services of a specialized nature to agricultural, extractive or industrial establishments."

These regulations can be found in full in the Federal Register of July 9, 1942. The above sections, however, should take care of radio's needs.

Needless to say, the NAB has been actively interested in this matter.

NAB BOARD TO MEET

The NAB Board of Directors will hold its regular summer meeting at the Palmer House in Chicago on Tuesday and Wednesday, July 14 and 15. Full attendance of the Board is indicated and the agenda embraces problems of vital and immediate concern to the industry.

BILL WITHDRAWN

Louisiana House Bill 657, proposing a tax on performing rights organizations and others who receive money for performing rights, was withdrawn last Tuesday.

NEW SCHENECTADY STATION

WSNY, Schenectady, N. Y., expects to begin broadcasting on July 15, according to word from George R. Nelson, general manager. Program Manager is Edward Flynn.

ALABAMA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Autauga	4,973	29.8	1,483	734	60.6	445	927	41.1	381	3,312	19.8	657
Baldwin	8,000	46.2	3,699	......	....	......	4,686	46.7	2,187	3,314	45.6	1,512
Barbour	7,657	29.2	2,231	1,781	42.0	748	1,560	42.2	659	4,316	19.1	824
Bibb	4,636	45.9	2,122	......	....	......	2,365	59.3	1,402	2,271	31.7	720
Blount	6,665	42.9	2,858	......	....	......	1,593	57.3	912	5,072	38.4	1,946
Bullock	4,673	20.6	951	949	46.8	444	514	38.7	199	3,210	09.6	308
Butler	7,382	31.9	2,345	1,323	53.6	709	1,844	35.6	657	4,215	23.2	979
Calhoun	15,021	58.8	8,830	8,466	66.6	5,637	3,004	58.0	1,744	3,551	40.8	1,449
Chambers	9,888	47.0	4,629	1,533	69.5	1,066	4,344	60.6	2,631	4,011	23.2	932
Cherokee	4,419	57.0	2,520	......	....	......	718	64.0	459	3,701	55.7	2,061
Chilton	6,585	43.4	2,851	1,044	61.4	641	1,330	44.9	597	4,211	38.3	1,613
Choctaw	4,574	22.3	1,021	......	....	......	1,187	33.9	402	3,387	18.3	619
Clarke	6,379	28.8	1,841	......	....	......	2,547	44.5	1,134	3,832	18.5	707
Clay	3,878	38.5	1,498	......	....	......	963	56.1	540	2,915	32.9	958
Cleburne	2,992	34.8	1,044	......	....	......	697	48.5	338	2,295	30.7	706

ALABAMA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Coffee	7,311	37.1	2,718	1,220	54.0	659	1,148	48.0	551	4,943	30.5	1,508
Colbert	8,245	55.6	4,572	3,576	66.7	2,387	1,735	56.9	987	2,934	40.8	1,198
Conecuh	5,650	26.3	1,480	......	....	......	1,504	38.5	579	4,146	21.7	901
Coose	2,971	35.5	1,057	......	....	......	930	48.7	453	2,041	29.6	604
Covington	9,970	40.8	4,088	3,513	54.1	1,901	1,319	44.6	589	5,138	31.1	1,598
Crenshaw	5,608	30.9	1,730	......	....	......	1,645	43.5	716	3,963	25.6	1,014
Cullman	10,690	54.5	5,825	1,385	77.6	1,075	1,511	62.1	714	8,154	49.5	4,036
Dale	5,326	39.4	2,100	1,004	50.8	510	790	47.2	373	3,532	34.4	1,217
Dallas	13,733	29.7	4,056	5,568	51.0	2,838	1,103	47.5	524	7,062	09.8	694
De Kalb	9,898	49.8	4,956	1,180	78.8	930	1,234	62.3	769	7,484	43.5	3,257
Elmore	7,755	41.1	3,189	806	67.2	541	2,124	57.0	1,211	4,825	29.8	1,437
Escambia	6.766	36.5	2,479	1,684	53.8	906	2,476	34.5	854	2,606	27.6	719
Etowah	17,197	68.2	11,739	10,517	77.6	8,160	2,226	59.8	1,332	4,454	50.5	2,247
Fayette	4,950	44.7	2,212	747	66.1	494	526	65.0	342	3,677	37.4	1,376
Franklin	6,090	44.2	2,690	895	63.4	567	1,168	57.1	666	4,027	36.2	1,457
Geneva	6,600	35.9	2,370	708	55.8	395	1,615	45.4	732	4,277	29.1	1,243
Green	4,720	14.2	671	......	....	......	866	37.2	322	3,854	09.1	349
Hale	5,952	19.2	1,138	......	....	......	1,250	45.1	564	4,702	12.2	574
Henry	4,857	32.2	1,568	......	....	......	1,239	47.1	584	3,618	27.2	984
Houston	11,161	46.4	5.200	4,458	57.8	2,578	1.297	44.5	577	5,406	37.8	2,045
Jackson	9,127	45.6	4,172	788	69.3	546	2,558	51.0	1,306	5,781	40.1	2,320
Jefferson	119,034	75.3	89,654	85,097	79.2	67,386	28,343	67.2	19,057	5,594	57.4	3,211
Lamar	4,401	43.2	1,903	......	....	......	1,030	58.7	605	3,371	38.5	1,298
Lauderdale	10,828	52.9	5,728	3,965	68.4	2,710	1,685	51.2	863	5,178	41.6	2,155
Lawrence	6,216	36.7	2,286	......	....	......	1,498	43.3	648	4,718	34.7	1,638
Lee	8,726	38.4	3,344	3,710	55.8	2,070	1,149	48.2	554	3,867	18.6	720
Limestone	8,042	41.7	3,356	1,172	73.1	857	805	38.6	311	6,065	36.1	2,188
Lowndes	5,364	13.2	707	......	....	......	783	36.0	282	4,581	09.3	425
Macon	6,354	25.5	1,631	1,042	57.8	603	756	52.6	398	4,556	13.8	630
Madison	15,325	54.9	8,412	3,482	67.3	2,343	5,045	64.3	3,243	6,798	41.6	2,826
Marengo	8,651	18.7	1,626	1,201	41.8	502	1,321	36.0	476	6,129	10.6	648
Marion	6,252	45.7	2,860	......	....	......	1,844	69.6	1,283	4.408	35.8	1,577
Marshall	9,713	55.2	5,367	2,041	71.5	1,459	1,080	70.2	758	6,592	47.8	3,150
Mobile	35,768	60.1	21,526	22,087	66.2	14,627	11,019	52.0	5,726	2,662	44.1	1,173
Monroe	6,446	28.5	1,847	......	....	......	1,926	44.4	855	4,520	21.9	992
Montgomery	29,520	53.8	15,879	21,932	62.9	13,805	1,999	49.4	987	5,589	19.4	1,087
Morgan	11,815	60.9	7,194	5,281	76.0	4,015	1,351	57.8	781	5,183	46.3	2,398
Perry	5,925	20.6	1,215	......	....	......	1,621	37.6	609	4,304	14.1	606
Pickens	6,259	33.1	2,078	......	....	......	1,610	53.4	860	4,649	26.2	1,218
Pike	7,757	36.1	2,806	2,037	53.8	1,097	1,114	49.4	550	4,606	25.2	1,159
Randolph	5,780	42.9	2.486	1,084	70.7	767	694	53.4	370	4,002	33.7	1,349
Russell	8,547	37.4	3,169	4,055	56.8	2,302	1,155	42.7	493	3,337	11.2	374
St. Clair	6,275	49.2	3,082	10	66.7	7	3,279	62.0	2,033	2,986	34.9	1,042
Shelby	6,797	46.6	3,170	......	....	......	3,878	52.8	2,047	2,919	38.5	1,123
Sumpter	6,381	18.5	1,202	......	....	......	1,887	41.0	773	4,494	09.5	429
Talladega	11,345	43.6	4,980	3,699	61.1	2,260	3,148	53.5	1,685	4,498	23.0	1,035
Tallapoosa	8,248	48.8	4,005	1,668	64.7	1,079	2,670	64.6	1,725	3,910	30.7	1,201
Tuscaloosa	17,469	52.4	9,168	7,441	63.3	4,707	4,440	52.0	2,310	5,588	38.5	2,151
Walker	14,718	56.8	8,358	2,426	63.2	1,532	7,751	59.6	4,616	4,541	48.7	2,210
Washington	3.566	26.9	958	......	....	......	1,620	29.3	474	1,946	24.9	484
Wilcox	5,957	17.4	1,034	......	....	......	1,375	36.3	500	4,582	11.7	534
Winston	4,037	45.1	1,812	......	....	......	1,167	67.9	792	2,870	35.5	1,020
State Total	673,815	49.4	332,776	227,309	69.7	158.305	157,226	54.5	85,651	289,280	30.8	88,820

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Anniston	Calhoun	6,697	65.8	4,404
Birmingham	Jefferson	71,798	79.6	57,157
Gadsden	Etowah	9,300	78.4	7,287
Mobile	Mobile	20,512	67.8	13,917
Montgomery	Montgomery	21,932	62.9	13,805
Tuscaloosa	Tuscaloosa	6,556	63.4	4,158

NAB Research Department

July 3, 1942

DISTRICT OF COLUMBIA

Estimated Radio Homes, 1940

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
District of Columbia (Washington, D. C.)	173,445	93.7	162,446	173,445	93.7	162,446	......	....	......	......	....	......

NAB Research Department

April 3, 1942

FLORIDA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Alachua	9,892	51.1	5,076	3,767	69.1	2,603	3,440	47.6	1,639	2,685	31.1	834
Baker	1,506	32.4	488	......	....	......	1,015	32.8	333	491	31.6	155
Bay	5,477	59.2	3,240	3,177	64.2	2,038	2,116	53.0	1,121	184	43.8	81
Bradford	2,102	48.2	1,011	......	....	......	923	56.0	517	1,179	41.9	494
Brevard	4,918	63.0	3,097	1,785	65.9	1,177	2,393	59.9	1,433	740	65.7	487
Broward	11,660	66.2	7,714	9,249	71.1	6,578	1,915	50.5	967	496	34.2	169
Calhoun	1,968	32.1	632	......	....	......	1,297	34.0	441	671	28.5	191
Charlotte	1,126	60.8	684	......	....	......	1,041	61.2	637	85	55.6	47
Citrus	1,698	45.3	770	......	....	......	1,465	45.9	673	233	41.6	97
Clay	1,782	47.5	847	......	....	......	1,455	48.8	710	327	41.8	137
Collier	1,699	34.3	583	......	....	......	1,447	36.5	528	252	21.9	55
Columbia	4,190	35.5	1,522	1,637	59.1	967	937	19.9	187	1,616	22.8	368
Dade	75,934	84.8	64,382	60,844	87.4	53,166	13,509	75.7	10,230	1,581	62.4	986
De Soto	2,188	53.4	1,168	1,149	57.8	664	582	44.1	257	457	54.1	247
Dixie	1,881	40.2	755	......	....	......	1,761	41.1	723	120	26.9	32
Duval	55,165	76.0	41,893	46,421	77.7	36,053	7,303	67.7	4,941	1,441	62.4	899
Escambia	18,105	64.7	11,717	9,851	69.7	6,869	6,793	61.1	4,149	1,461	47.9	699
Flagler	943	37.0	349	......	....	......	699	38.9	272	244	31.7	77
Franklin	1,605	43.6	697	890	50.1	446	692	35.1	243	23	36.4	8
Gadsden	6,518	35.4	2,305	1,689	61.7	1,043	1,480	35.4	524	3,349	22.0	738
Gilchrist	1,037	30.3	314	......	....	......	350	31.8	111	687	29.5	203
Glades	827	43.4	358	......	....	......	587	43.7	256	240	42.6	102
Gulf	1,785	51.3	916	......	....	......	1,692	51.4	869	93	50.0	47
Hamilton	2,413	27.9	674	......	....	......	1,147	36.0	413	1,266	20.7	261
Hardee	2,700	48.9	1,322	788	67.3	530	619	38.9	241	1,293	42.6	551
Hendry	1,714	49.5	848	......	....	......	1,523	50.6	770	191	40.9	78
Hernando	1,592	47.7	759	......	....	......	1,040	52.5	546	552	38.6	213
Highlands	2,499	59.9	1,498	1,687	64.9	1,095	470	50.3	237	342	48.7	166
Hillsborough	49,860	73.3	36,540	32,000	76.4	24,451	12,325	73.5	9,054	5,535	54.8	3,035
Holmes	3,450	31.5	1,085	......	....	......	1,384	37.0	476	2,166	28.1	609
Indian River	2,563	58.9	1,506	895	75.1	673	1,126	47.1	530	542	55.9	303
Jackson	8,181	30.1	2,463	1,363	53.7	732	2,205	34.8	767	4,613	20.9	964
Jefferson	2,950	27.9	828	......	....	......	1,317	40.4	533	1,633	18.1	295
Lafayette	1,037	41.4	429	......	....	......	384	38.8	149	653	42.9	280
Lake	8,003	59.9	4,793	2,239	66.2	1,482	4,489	55.9	2,508	1,275	63.0	803
Lee	4,994	68.4	3,415	2,986	71.3	2,128	1,563	65.8	1,029	445	58.0	258
Leon	8,380	48.3	4,040	4,733	62.9	2,979	1,830	39.5	722	1,817	18.6	339
Levy	3,351	33.2	1,112	......	....	......	2,263	36.0	815	1,088	27.3	297
Liberty	946	26.6	252	......	....	......	666	26.1	174	280	27.7	78
Madison	3,960	32.3	1,279	784	43.5	341	905	34.4	311	2,271	27.6	627
Manatee	7,448	65.0	4,835	4,249	68.1	2,892	2,015	63.5	1,280	1,184	56.0	663
Marion	8,429	49.8	4,200	2,512	65.2	1,639	3,355	47.4	1,589	2,562	37.9	972
Martin	1,979	54.1	1,069	......	....	......	1,801	55.9	1,006	178	35.6	63
Monroe	3,975	65.0	2,584	3,515	67.2	2,363	366	52.4	192	94	30.9	29
Nassau	2,668	50.3	1,343	910	67.5	615	1,189	39.4	469	569	45.6	259
Okaloosa	3,057	41.0	1,254	......	....	......	2,043	43.7	893	1,014	35.6	361
Okeechobee	824	47.2	389	......	....	......	639	47.6	304	185	45.9	85
Orange	20,413	75.4	15,401	13,031	79.3	10,336	5,656	68.3	3,865	1,726	69.5	1,200
Osceola	3,202	63.4	2,028	953	69.9	666	1,818	61.7	1,121	431	56.0	241
Palm Beach	23,880	63.7	15,223	17,001	71.3	12,121	4,933	51.0	2,518	1,946	30.0	584

FLORIDA—*Continued*

County	All Units Units	All Units % Radio	All Units Radio Units	Urban Units Units	Urban Units % Radio	Urban Units Radio Units	Rural-Nonfarm Units Units	Rural-Nonfarm Units % Radio	Rural-Nonfarm Units Radio Units	Rural-Farm Units Units	Rural-Farm Units % Radio	Rural-Farm Units Radio Units
Pasco	4,255	55.9	2,380	785	55.5	436	2,267	56.7	1,286	1,203	54.7	658
Pinellas	28,970	82.4	23,872	23,863	83.1	19,829	4,295	79.9	3,431	812	75.4	612
Polk	23,971	63.9	15,315	13,151	69.6	9,148	7,792	57.3	4,463	3,028	56.3	1,704
Putnam	5,366	46.0	2,467	2,094	52.7	1,103	2,349	38.6	907	923	49.6	457
St. Johns	5,628	59.9	3,358	3,484	73.3	2,553	1,707	33.2	567	437	54.5	238
St. Lucie	3,316	53.4	1,780	2,195	59.1	1,298	410	49.9	204	711	39.1	278
Santa Rosa	3,808	37.5	1,428	......	....	......	2,459	36.8	905	1,349	38.7	523
Sarasota	4,658	71.4	3,324	3,253	76.6	2,491	1,177	60.0	706	228	55.6	127
Seminole	6,239	56.7	3,536	2,923	63.5	1,856	2,448	47.2	1,156	868	60.4	524
Sumter	2,953	44.5	1,316	......	....	......	1,817	47.0	855	1,136	40.6	461
Suwannee	4,113	36.6	1,511	893	68.7	613	887	30.6	271	2,333	26.9	627
Taylor	3,138	31.0	973	802	40.7	326	1,830	29.6	542	506	20.7	105
Union	1,254	31.3	393	......	....	......	636	37.1	236	618	25.4	157
Volusia	16,129	67.5	10,888	10,175	71.4	7,265	4,635	61.2	2,839	1,319	59.5	784
Wakulla	1,341	36.2	484	......	....	......	1,065	37.3	397	276	31.7	87
Walton	3,350	35.5	1,191	687	66.3	455	1,259	33.4	421	1,404	22.4	315
Washington	2,924	30.8	900	......	....	......	1,499	35.7	535	1,425	25.6	365
State Total	519,887	64.8	336,803	294,410	76.1	224,020	152,395	55.1	83,994	73,082	39.4	28,789

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Jacksonville	Duval	45,377	77.7	35,262
Miami	Dade	48,483	86.8	42,062
Orlando	Orange	10,742	81.3	8,731
Pensacola	Escambia	9,851	69.7	6,869
St. Petersburg	Pinellas	19,920	84.6	16,852
Tampa	Hillsborough	29,914	77.8	23,287
West Palm Beach	Palm Beach	9,612	79.0	7,596

NAB Research Department July 3, 1942

KENTUCKY

Estimated Radio Homes, 1940

County	All Units Units	All Units % Radio	All Units Radio Units	Urban Units Units	Urban Units % Radio	Urban Units Radio Units	Rural-Nonfarm Units Units	Rural-Nonfarm Units % Radio	Rural-Nonfarm Units Radio Units	Rural-Farm Units Units	Rural-Farm Units % Radio	Rural-Farm Units Radio Units
Adair	4,353	44.2	1,925	......	....	......	865	57.7	499	3,488	40.9	1,426
Allen	3,964	47.0	1,862	......	....	......	978	61.1	597	2,986	42.4	1,265
Anderson	2,404	72.7	1,746	......	....	......	791	77.9	616	1,613	70.1	1,130
Ballard	2,633	62.1	1,636	......	....	......	1,070	58.6	628	1,563	64.5	1,008
Barren	6,958	60.9	4,232	1,620	76.3	1,237	892	60.6	541	4,446	55.2	2,454
Bath	2,792	58.6	1,636	......	....	......	980	58.6	574	1,812	58.6	1,062
Bell	9,229	56.2	5,195	3,770	70.9	2,674	4,073	49.6	2,019	1,386	36.2	502
Boone	2,983	76.7	2,289	......	....	......	1,289	81.8	1,054	1,694	72.9	1,235
Bourbon	4,875	74.3	3,616	2,019	83.1	1,677	1,043	57.4	598	1,813	74.0	1,341
Boyd	10,956	83.0	9,087	8,538	88.5	7,557	1,601	64.2	1,027	817	61.5	503
Boyle	4,549	74.2	3,383	1,987	84.1	1,672	1,121	66.2	742	1,441	67.2	969
Bracken	2,550	73.2	1,866	......	....	......	982	77.7	763	1,568	70.4	1,103
Breathitt	4,637	22.2	1,030	......	....	......	798	51.0	407	3,839	16.2	623
Breckinridge	4,508	52.8	2,381	......	....	......	1,475	64.3	948	3,033	47.3	1,433
Bullitt	2,448	60.9	1,491	......	....	......	1,020	65.4	667	1,428	57.7	824
Butler	3,391	37.7	1,280	......	....	......	878	46.1	405	2,513	34.8	875
Caldwell	4,008	58.8	2,361	1,602	74.4	1,192	573	52.8	303	1,833	47.3	866
Calloway	5,202	59.8	3,118	1,109	76.5	849	835	64.0	534	3,258	53.2	1,735
Campbell	20,029	92.3	18,480	16,701	94.6	15,796	1,952	89.8	1,753	1,376	67.7	931
Carlisle	2,062	60.3	1,242	......	....	......	777	64.8	503	1,285	57.5	739
Carroll	2,388	70.9	1,692	849	78.6	667	493	64.6	319	1,046	67.5	706
Carter	5,284	51.8	2,738	......	....	......	2,169	62.2	1,349	3,115	44.6	1,389
Casey	4,258	39.3	1,672	......	....	......	645	41.4	267	3,613	38.9	1,405
Christian	9,195	54.9	5,061	3,482	65.8	2,290	1,871	53.7	1,004	3,842	46.0	1,767
Clark	4,976	72.1	3,592	2,666	75.6	2,015	471	58.4	275	1,839	70.8	1,302

KENTUCKY—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Clay	4,527	33.7	1,530	......	....	......	933	47.7	445	3,594	30.2	1,085
Clinton	2,287	42.7	978	......	....	......	360	51.3	185	1,927	41.2	793
Crittenden	3,203	63.6	2,040	......	....	......	1,235	72.7	898	1,968	58.0	1,142
Cumberland	2,622	41.0	1,075	......	....	......	514	54.8	282	2,108	37.6	793
Daviess	13,556	75.9	10,299	8,351	84.4	7,045	1,345	66.9	900	3,860	61.0	2,354
Edmonson	2,557	44.3	1,132	......	....	......	626	56.5	354	1,931	40.3	778
Elliott	1,741	41.2	718	......	....	......	155	39.1	61	1,586	41.4	657
Estill	3,853	47.2	1,821	855	77.2	660	945	57.1	539	2,053	30.3	622
Fayette	21,044	81.9	17,249	13,849	79.8	11,057	4,982	88.8	4,425	2,213	79.8	1,767
Fleming	3,582	63.1	2,259	......	....	......	1,286	65.9	848	2,296	61.4	1,411
Floyd	10,457	57.7	6,031	......	....	......	6,332	67.7	4,288	4,125	42.3	1,743
Franklin	6,040	79.8	4,820	3,052	83.0	2,532	1,399	80.6	1,127	1,589	73.1	1,161
Fulton	4,080	62.7	2,559	1,013	78.8	799	1,459	59.4	867	1,608	55.6	893
Gallatin	1,188	59.4	701	......	....	......	509	68.9	351	679	51.5	350
Garrard	2,915	63.4	1,848	......	....	......	944	60.5	571	1,971	64.8	1,277
Grant	2,741	65.8	1,802	......	....	......	984	70.2	690	1,757	63.3	1,112
Graves	8,747	63.0	5,503	2,556	78.2	1,998	1,347	59.2	798	4,844	55.9	2,707
Grayson	4,361	42.4	1,847	......	....	......	1,119	60.8	681	3,242	36.0	1,166
Green	3,077	51.6	1,586	......	....	......	606	60.8	368	2,471	49.3	1,218
Greenup	5,456	63.4	3,463	......	....	......	3,213	77.8	2,499	2,243	43.0	964
Hancock	1,780	54.0	962	......	....	......	510	67.3	343	1,270	48.7	619
Hardin	6,091	61.4	3,740	1,061	78.5	833	1,819	66.7	1,213	3,211	52.7	1,694
Harlan	15,846	66.2	10,484	2,250	72.1	1,622	11,528	68.0	7,839	2,068	49.5	1,023
Harrison	4,243	74.2	3,144	1,486	80.9	1,202	505	61.5	311	2,252	72.4	1,631
Hart	4,320	50.3	2,172	......	....	......	1,066	59.7	637	3,254	47.2	1,535
Henderson	7,414	69.8	5,176	3,867	77.8	3,009	1,107	58.7	650	2,440	62.2	1,517
Henry	3,327	69.7	2,321	......	....	......	1,386	69.9	969	1,941	69.6	1,352
Hickman	2,442	58.9	1,440	......	....	......	725	63.0	457	1,717	57.2	983
Hopkins	10,321	64.6	6,667	4,116	76.7	3,157	3,113	61.6	1,917	3,092	51.5	1,593
Jackson	3,249	33.9	1,100	......	....	......	667	39.4	263	2,582	32.4	837
Jefferson	106,168	87.5	92,905	89,955	87.7	78,875	12,136	88.8	10,778	4,077	79.8	3,252
Jessamine	3,252	67.7	2,202	1,001	67.5	676	790	62.3	492	1,461	70.8	1,034
Johnson	5,527	50.7	2,800	......	....	......	2,635	64.3	1,694	2,892	38.2	1,106
Kenton	26,208	92.2	24,175	20,565	93.5	19,222	4,108	93.9	3,857	1,535	71.4	1,096
Knott	3,762	34.3	1,289	......	....	......	1,049	54.3	569	2,713	26.5	720
Knox	6,500	43.6	2,831	388	89.1	346	2,429	55.5	1,348	3,683	30.9	1,137
Larue	2,472	58.4	1,445	......	....	......	763	71.1	543	1,709	52.8	902
Laurel	5,460	45.1	2,462	......	....	......	1,781	56.6	1,009	3,679	39.5	1,453
Lawrence	3,747	45.6	1,712	......	....	......	1,213	56.0	679	2,534	40.8	1,033
Lee	2,280	42.0	957	......	....	......	838	49.4	414	1,442	37.7	543
Leslie	2,744	22.7	622	......	....	......	320	36.9	118	2,424	20.8	504
Letcher	8,102	57.2	4,642	1,948	85.0	1,655	3,384	58.9	1,993	2,770	35.9	994
Lewis	3,700	49.4	1,824	......	....	......	1,084	63.1	685	2,616	43.6	1,139
Lincoln	4,616	56.5	2,607	......	....	......	1,725	59.4	1,025	2,891	54.7	1,582
Livingston	2,399	54.5	1,307	......	....	......	810	55.8	452	1,589	53.8	855
Logan	6,090	57.2	3,486	1,170	67.7	792	1,053	65.4	688	3,867	51.9	2,006
Lyon	1,942	54.1	1,062	......	....	......	681	67.8	462	1,261	47.6	600
McCracken	13,462	71.3	9,595	9,607	73.0	7,011	1,669	71.5	1,193	2,186	63.6	1,391
McCreary	3,300	47.7	1,573	......	....	......	1,604	62.2	998	1,696	33.9	575
McLean	2,988	64.7	1,933	......	....	......	1,271	67.5	858	1,717	62.6	1,075
Madison	7,175	60.3	4,341	2,068	72.2	1,493	1,502	63.6	955	3,605	52.5	1,893
Magoffin	3,441	30.2	1,039	......	....	......	782	45.1	353	2,659	25.8	686
Marion	3,793	60.7	2,303	1,021	75.5	771	535	49.4	264	2,237	56.7	1,268
Marshall	4,379	59.4	2,601	......	....	......	1,963	70.7	1,389	2,416	50.2	1,212
Martin	2,056	34.0	699	......	....	......	626	45.3	284	1,430	29.0	415
Mason	5,096	73.2	3,730	1,917	80.0	1,534	1,427	66.8	953	1,752	70.9	1,243
Meade	2,185	60.5	1,322	......	....	......	764	62.0	473	1,421	59.7	849
Menifee	1,221	33.9	415	......	....	......	196	41.9	82	1,025	32.4	333
Mercer	3,932	72.1	2,835	1,399	73.1	1,022	525	65.3	343	2,008	73.2	1,470
Metcalfe	2,683	47.6	1,275	......	....	......	353	54.2	191	2,330	46.5	1,084
Monroe	3,258	49.2	1,604	......	....	......	681	58.4	398	2,577	46.8	1,206
Montgomery	3,204	62.6	2,007	1,465	72.0	1,054	567	39.0	221	1,172	62.5	732
Morgan	3,557	35.2	1,248	......	....	......	484	56.0	271	3,073	31.8	977
Muhlenberg	9,129	54.5	4,976	1,164	69.3	807	4,763	56.6	2,696	3,202	46.0	1,473
Nelson	4,184	64.0	2,678	805	79.6	641	1,075	62.8	675	2,304	59.1	1,362

KENTUCKY—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Nicholas	2,393	71.2	1,705	......	....	......	859	70.8	608	1,534	71.5	1,097
Ohio	6,312	49.7	3,133	......	....	......	2,374	60.5	1,437	3,938	43.1	1,696
Oldham	2,096	71.8	1,504	......	....	......	997	76.8	765	1,099	67.3	739
Owen	2,998	64.0	1,917	......	....	......	753	66.3	499	2,245	63.2	1,418
Owsley	1,883	33.6	633	......	....	......	183	47.5	87	1,700	32.1	546
Pendleton	2,814	70.1	1,973	......	....	......	890	79.4	706	1,924	65.9	1,267
Perry	9,444	58.6	5,535	1,715	81.0	1,389	4,476	68.4	3,064	3,253	33.3	1,082
Pike	13,987	52.0	7,284	1,039	83.9	872	6,164	61.9	3,816	6,784	38.3	2,596
Powell	1,646	37.2	613	......	....	......	605	42.1	255	1,041	34.4	358
Pulaski	9,053	51.6	4,681	1,603	79.4	1,273	1,927	56.7	1,093	5,523	41.9	2,315
Robertson	948	69.5	659	......	....	......	225	72.8	164	723	68.4	495
Rockcastle	3,711	33.4	1,240	......	....	......	1,311	46.6	611	2,400	26.2	629
Rowan	2,731	54.9	1,500	......	....	......	1,309	68.5	896	1,422	42.4	604
Russell	2,984	39.8	1,187	......	....	......	581	44.2	257	2,403	38.7	930
Scott	3,942	73.3	2,892	1,398	77.6	1,085	617	62.6	386	1,927	73.7	1,421
Shelby	4,770	73.5	3,506	1,348	75.7	1,021	821	69.2	568	2,601	73.7	1,917
Simpson	3,123	59.8	1,868	1,144	67.0	766	124	45.9	57	1,855	56.3	1,045
Spencer	1,649	64.2	1,058	......	....	......	419	69.6	291	1,230	62.4	767
Taylor	3,381	59.5	2,013	......	....	......	1,250	68.6	857	2,131	54.3	1,156
Todd	3,717	47.7	1,771	......	....	......	1,467	54.5	799	2,250	43.2	972
Trigg	3,131	49.6	1,553	......	....	......	828	54.6	452	2,303	47.8	1,101
Trimble	1,443	67.5	973	......	....	......	271	73.2	198	1,172	66.1	775
Union	4,390	69.6	3,057	839	68.8	577	1,988	67.6	1,344	1,563	72.7	1,136
Warren	9,797	61.0	5,987	4,251	71.2	3,028	1,545	57.5	889	4,001	51.7	2,070
Washington	3,049	65.5	1,997	......	....	......	849	72.2	613	2,200	62.9	1,384
Wayne	3,734	39.3	1,466	......	....	......	985	46.7	460	2,749	36.6	1,006
Webster	5,374	57.1	3,066	1,340	63.5	851	2,179	60.9	1,326	1,855	47.9	889
Whitley	7,288	47.1	3,434	1,574	78.8	1,240	2,653	49.6	1,317	3,061	28.6	877
Wolfe	2,068	31.6	654	......	....	......	376	48.7	183	1,692	27.8	471
Woodford	2,971	73.7	2,194	760	81.5	620	917	62.7	575	1,294	77.2	999
State Total	698,538	65.3	456,633	238,283	84.0	200,161	179,890	65.7	118,144	280,365	49.3	138,328

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Ashland	Boyd	7,441	89.8	6,681
Covington	Campbell	18,028	93.3	16,822
Lexington	Fayette	13,849	79.8	11,057
Louisville	Jefferson	89,955	87.7	78,875
Newport	Campbell	9,047	92.2	8,340
Owensboro	Daviess	8,351	84.4	7,045
Paducah	McCracken	9,607	73.0	7,011

NAB Research Department July 6, 1942

MASSACHUSETTS

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Barnstable	11,047	89.0	9,825	3,466	90.8	3,146	6,587	89.2	5,872	994	81.2	807
Berkshire	32,629	94.8	30,922	26,160	96.0	25,116	4,992	90.4	4,511	1,477	87.7	1,295
Bristol	96,741	94.9	91,776	87,226	95.2	83,014	7,178	92.9	6,666	2,337	89.7	2,096
Dukes	1,699	89.3	1,517	....	....	......	1,499	90.2	1,352	200	82.4	165
Essex	133,919	95.7	128,173	125,838	95.9	120,646	6,865	93.3	6,405	1,216	92.2	1,122
Franklin	13,708	92.7	12,704	8,130	94.9	7,716	3,239	90.7	2,937	2,339	91.6	2,051
Hampden	87,360	97.1	84,825	80,349	97.4	78,229	5,240	95.3	4,992	1,771	90.6	1,604
Hampshire	17,835	94.7	16,883	13,945	95.8	13,363	2,117	90.5	1,916	1,773	90.5	1,604
Middlesex	244,859	97.3	238,208	225,290	97.5	219,724	16,887	94.8	16,013	2,682	92.1	2,471
Nantucket	989	96.5	955	989	96.5	955	......	....	......	......	....	......

MASSACHUSETTS—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Norfolk	83,251	98.1	81,689	73,061	98.3	71,854	9,246	96.6	8,928	944	96.1	907
Plymouth	47,965	94.8	45,487	34,645	96.0	33,247	10,018	93.2	9,342	3,302	87.8	2,898
Suffolk	220,304	96.2	211,842	220,304	96.2	211,842	......	....	......	......	....	......
Worcester	128,388	95.7	122,836	103,030	96.3	99,194	20,673	94.2	19,472	4,685	89.0	4,170
State Total	1,120,694	96.2	1,077,642	1,002,433	96.6	968,046	94,541	93.5	88,406	23,720	89.3	21,190

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Beverly	Essex	7,987	97.4	6,805
Boston	Suffolk	197,393	96.1	189,656
Brockton	Plymouth	18,137	95.9	17,399
Cambridge	Middlesex	28,717	97.3	27,941
Chelsea	Suffolk	9,956	95.2	9,474
Chicopee	Hampden	10,082	97.0	9,782
Everett	Middlesex	11,763	98.4	11,580
Fall River	Bristol	29,799	95.1	28,347
Fitchburg	Worcester	10,951	95.3	10,437
Haverhill	Essex	13,193	93.6	12,344
Holyoke	Hampden	14,716	96.8	14,245
Lawrence	Essex	21,987	95.2	20,935
Lowell	Middlesex	24,932	93.7	23,381
Lynn	Essex	27,602	96.3	26,593
Malden	Middlesex	15,365	97.9	15,046
Medford	Middlesex	16,022	98.0	15,706
Melrose	Middlesex	6,896	98.5	6,790
New Bedford	Bristol	30,640	94.2	28,878
Newton	Middlesex	17,432	98.5	17,175
Pittsfield	Berkshire	13,018	97.0	12,626
Quincy	Middlesex	20,367	98.7	20,095
Revere	Suffolk	8,493	97.8	8,303
Salem	Essex	10,549	96.8	10,207
Somerville	Middlesex	26,264	98.2	25,790
Springfield	Hampden	40,303	98.2	39,559
Taunton	Bristol	9,335	96.5	9,012
Waltham	Middlesex	9,167	98.0	8,984
Worcester	Worcester	48,812	97.3	47,480

NAB Research Department

July 7, 1942

MISSOURI

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adair	6,113	78.6	4,802	3,196	87.6	2,799	687	68.0	467	2,230	68.9	1,536
Andrew	3,895	79.3	3,090	......	....	......	1,427	81.5	1,162	2,468	78.1	1,928
Atchison	3,583	82.7	2,964	......	....	......	1,608	82.4	1,325	1,975	83.0	1,639
Audrain	6,775	79.7	5,397	3,639	86.8	3,157	827	77.7	643	2,309	69.2	1,597
Barry	6,276	67.9	4,264	1,161	91.3	1,060	1,201	71.8	862	3,914	59.8	2,342
Barton	4,168	68.9	2,881	966	85.1	822	1,057	70.3	743	2,145	61.3	1,316
Bates	5,933	67.1	3,985	928	85.6	794	1,803	65.9	1,188	3,202	62.5	2,003
Benton	3,166	59.0	1,868	......	....	......	901	73.1	659	2,265	53.4	1,209
Bollinger	3,190	50.0	1,595	......	....	......	592	64.0	379	2,598	46.8	1,216
Boone	10,490	79.1	8,291	5,711	87.1	4,974	1,585	75.1	1,190	3,194	66.6	2,127
Buchanan	26,816	85.8	23,011	21,716	87.5	19,002	2,388	84.6	2,021	2,712	73.3	1,988
Butler	8,459	55.9	4,745	3,050	83.7	2,553	1,138	43.3	493	4,271	39.8	1,699
Caldwell	3,611	73.5	2,651	......	....	......	1,724	79.4	1,368	1,887	68.0	1,283
Callaway	5,810	66.3	3,857	1,702	82.8	1,409	1,032	70.0	722	3,076	56.1	1,726
Camden	2,401	58.2	1,396	......	....	......	927	66.0	612	1,474	53.2	784

MISSOURI—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Cape Girardeau	9,822	79.8	7,840	6,083	87.1	5,296	834	66.9	558	2,905	68.4	1,986
Carroll	5,294	77.6	4,107	1,225	87.4	1,071	1,224	78.2	957	2,845	73.1	2,079
Carter	1,507	48.7	733	......	....	......	712	54.2	386	795	43.7	347
Cass	5,914	72.9	4,306	......	....	......	2,817	80.7	2,275	3,097	65.6	2,031
Cedar	3,488	57.4	2,002	......	....	......	1,274	67.3	857	2,214	51.7	1,145
Chariton	5,191	72.7	3,774	......	....	......	2,110	77.0	1,625	3,081	69.7	2,149
Christian	3,727	62.4	2,327	......	....	......	978	70.6	691	2,749	59.5	1,636
Clark	3,104	67.7	2,101	......	....	......	1,387	72.2	1,002	1,717	64.0	1,099
Clay	9,201	83.4	7,673	3,437	88.2	3,033	3,589	85.9	3,081	2,175	71.7	1,559
Clinton	4,063	75.8	3,076	1,165	87.3	1,017	1,246	74.5	929	1,652	68.4	1,130
Cole	8,264	83.0	6,859	5,733	92.5	5,304	694	75.8	526	1,837	56.0	1,029
Cooper	4,976	67.9	3,384	1,657	85.3	1,413	983	62.1	610	2,336	58.2	1,361
Crawford	3,357	54.9	1,862	47	68.1	47	1,229	64.5	793	2,081	49.1	1,022
Dade	3,267	64.8	2,117	......	....	......	1,059	73.1	775	2,208	60.8	1,342
Dallas	3,065	58.7	1,800	......	....	......	714	69.6	497	2,351	55.4	1,303
Daviess	4,128	68.5	2,827	......	....	......	1,607	75.8	1,217	2,521	63.9	1,610
DeKalb	2,953	74.4	2,202	39	84.6	39	1,060	78.1	828	1,854	72.0	1,335
Dent	3,145	60.7	1,882	963	81.9	788	287	41.6	119	1,895	51.5	975
Douglas	3,780	52.1	1,968	......	....	......	662	61.2	405	3,118	50.1	1,563
Dunklin	11,017	61.5	6,771	2,563	73.4	1,882	2,433	60.7	1,476	6,021	56.7	3,413
Franklin	9,216	71.0	6,534	2,478	89.7	2,223	3,176	77.1	2,447	3,562	52.3	1,864
Gasconade	3,428	64.5	2,207	......	....	......	1,716	82.8	1,420	1,712	46.0	787
Gentry	4,009	76.1	3,050	......	....	......	1,933	78.7	1,521	2,076	73.7	1,529
Greene	26,611	83.2	22,152	18,645	87.7	16,347	2,970	74.8	2,220	4,996	71.8	3,585
Grundy	4,893	77.6	3,795	2,279	86.3	1,967	733	68.2	500	1,881	70.6	1,328
Harrison	4,921	74.0	3,642	838	82.8	694	1,169	72.9	852	2,914	71.9	2,096
Henry	6,796	70.0	4,752	1,906	82.1	1,565	1,992	76.1	1,516	2,898	57.7	1,671
Hickory	1,886	61.0	1,151	......	....	......	491	68.9	339	1,395	58.2	812
Holt	3,668	76.6	2,808	......	....	......	1,815	75.4	1,369	1,853	77.7	1,439
Howard	3,836	70.2	2,691	871	75.6	659	1,150	75.0	862	1,815	64.4	1,170
Howell	5,944	57.7	3,428	1,159	80.3	931	1,204	67.3	810	3,581	47.1	1,687
Iron	2,530	51.8	1,311	......	....	......	1,232	56.9	701	1,298	47.0	610
Jackson	144,503	92.1	133,067	126,907	92.5	117,391	13,322	92.7	12,355	4,274	77.7	3,321
Jasper	23,491	80.8	18,989	16,587	84.2	13,974	3,555	75.0	2,665	3,349	70.2	2,350
Jefferson	8,790	80.1	7,037	3,609	89.2	3,218	2,329	83.3	1,939	2,852	65.9	1,880
Johnson	6,351	69.5	4,410	1,730	82.8	1,432	1,349	70.9	957	3,272	61.8	2,021
Knox	2,739	71.5	1,957	......	....	......	1,038	76.1	790	1,701	68.6	1,167
Laclede	5,038	58.2	2,929	1,502	76.6	1,151	538	53.5	288	2,998	49.7	1,490
Lafayette	8,035	74.8	6,009	2,674	79.0	2,112	2,320	78.8	1,829	3,041	68.0	2,068
Lawrence	6,935	70.1	4,863	1,406	78.6	1,105	2,189	76.4	1,672	3,340	62.4	2,086
Lewis	3,637	75.2	2,735	......	....	......	1,863	76.2	1,419	1,774	74.2	1,316
Lincoln	4,388	68.8	3,022	......	....	......	1,931	77.2	1,491	2,457	62.3	1,531
Linn	6,500	78.3	5,087	2,889	86.0	2,483	1,273	74.0	942	2,338	71.1	1,662
Livingston	5,136	79.8	4,099	2,239	87.2	1,952	723	69.1	499	2,174	75.8	1,648
McDonald	4,182	55.3	2,313	......	....	......	1,307	68.0	889	2,875	49.5	1,424
Macon	6,559	72.3	4,738	1,337	80.6	1,078	1,759	77.9	1,370	3,463	66.1	2,290
Madison	2,487	59.7	1,484	963	76.8	739	425	55.4	235	1,099	46.4	510
Maries	2,172	49.4	1,073	......	....	......	403	67.9	274	1,769	45.2	799
Marion	9,395	83.4	7,838	6,346	86.9	5,516	1,180	81.8	965	1,869	72.6	1,357
Mercer	2,625	73.5	1,930	......	....	......	828	75.8	628	1,797	72.4	1,302
Miller	3,915	61.0	2,387	793	79.2	628	710	67.1	476	2,412	53.2	1,283
Mississippi	5,710	51.8	2,955	1,409	65.1	917	1,140	55.4	632	3,161	44.5	1,406
Moniteau	3,422	66.6	2,276	782	81.1	634	822	72.8	598	1,818	57.4	1,044
Monroe	4,082	72.2	2,947	......	....	......	1,664	76.6	1,275	2,418	69.1	1,672
Montgomery	3,787	69.6	2,635	......	....	......	1,809	76.3	1,380	1,978	63.4	1,255
Morgan	3,046	58.7	1,784	......	....	......	1,110	69.9	775	1,936	52.1	1,009
New Madrid	9,349	54.2	5,066	......	....	......	3,757	59.7	2,243	5,592	50.5	2,823
Newton	7,975	68.3	5,452	1,830	84.9	1,553	2,086	68.0	1,418	4,059	61.1	2,481
Nodaway	7,375	78.5	5,790	1,816	88.6	1,610	1,915	73.9	1,414	3,644	75.9	2,766
Oregon	3,317	53.9	1,787	......	....	......	951	69.6	662	2,366	47.5	1,125
Osage	2,966	53.0	1,572	......	....	......	1,035	65.2	674	1,931	46.5	898
Ozark	2,600	44.8	1,164	......	....	......	330	53.6	177	2,270	43.5	987
Pemiscot	11,687	53.6	6,265	2,677	60.2	1,611	1,763	61.6	1,086	7,247	49.2	3,568
Perry	3,719	68.2	2,536	1,049	86.3	905	676	66.4	449	1,994	59.3	1,182
Pettis	9,870	78.3	7,731	6,277	85.2	5,349	744	66.6	495	2,849	66.2	1,887

MISSOURI—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Phelps	4,877	60.2	2,936	1,476	80.8	1,193	1,359	62.1	844	2,042	44.0	899
Pike	5,757	72.9	4,194	1,549	82.5	1,278	1,743	72.9	1,271	2,465	66.7	1,645
Platte	4,123	73.5	3,031	......	....	......	1,886	77.8	1,467	2,237	69.9	1,564
Polk	4,946	63.7	3,170	794	82.2	653	867	65.3	566	3,285	59.4	1,951
Pulaski	2,925	64.0	1,871	......	....	......	1,097	71.0	779	1,828	59.7	1,092
Putnam	3,251	68.2	2,219	......	....	......	1,094	71.7	784	2,157	66.5	1,435
Ralls	2,958	71.6	2,117	......	....	......	1,080	72.5	783	1,878	71.0	1,334
Randolph	7,644	78.7	6,013	4,151	88.8	3,684	1,384	74.8	1,035	2,109	61.4	1,294
Ray	5,559	74.1	4,119	1,326	81.6	1,081	1,406	76.3	1,072	2,827	69.5	1,966
Reynolds	2,185	43.3	947	......	....	......	713	49.6	354	1,472	40.3	593
Ripley	3,115	50.5	1,577	......	....	......	816	63.7	520	2,299	46.0	1,057
St. Charles	6,788	78.8	5,356	3,008	92.5	2,782	1,431	78.2	1,119	2,349	61.9	1,455
St. Clair	3,794	58.5	2,219	......	....	......	1,320	66.7	881	2,474	54.1	1,338
St. Francois	8,831	79.0	6,981	3,505	90.7	3,181	3,710	77.0	2,858	1,616	58.3	942
St. Louis	73,513	94.2	69,257	33,884	97.5	33,046	35,693	92.7	33,076	3,936	79.7	3,135
St. Louis City	234,872	93.0	218,457	234,872	93.0	218,457	......	....	......	......	....	......
Ste. Genevieve	2,644	66.6	1,759	689	93.1	642	627	65.6	411	1,328	53.2	706
Saline	8,183	74.9	6,130	3,552	83.6	2,968	1,532	74.0	1,134	3,099	65.4	2,028
Schuyler	2,046	79.3	1,624	......	....	......	829	81.0	672	1,217	78.2	952
Scotland	2,634	74.7	1,966	......	....	......	1,016	81.2	825	1,618	70.5	1,141
Scott	7,713	72.3	5,586	3,085	81.7	2,521	2,380	70.6	1,681	2,248	61.5	1,384
Shannon	2,848	49.3	1,403	......	....	......	964	53.0	511	1,884	47.4	892
Shelby	3,571	73.2	2,613	......	....	......	1,682	78.5	1,321	1,889	68.4	1,292
Stoddard	8,019	59.6	4,780	874	79.0	691	1,746	65.6	1,146	5,399	54.5	2,943
Stone	2,906	52.9	1,539	......	....	......	881	63.3	558	2,025	48.4	981
Sullivan	3,969	68.8	2,729	......	....	......	1,497	69.0	1,033	2,472	68.6	1,696
Taney	2,759	52.6	1,458	......	....	......	1,041	65.9	686	1,718	44.9	772
Texas	5,101	53.4	2,724	......	....	......	1,277	61.3	783	3,824	50.7	1,941
Vernon	7,095	70.0	4,962	2,603	81.0	2,108	1,161	70.0	812	3,331	61.3	2,042
Warren	2,212	62.5	1,381	......	....	......	912	78.0	712	1,300	51.5	669
Washington	4,119	46.4	1,910	......	....	......	2,509	46.3	1,161	1,610	46.5	749
Wayne	3,115	49.1	1,532	......	....	......	1,188	59.3	704	1,927	43.0	828
Webster	4,538	64.9	2,942	......	....	......	1,333	72.8	971	3,205	61.5	1,971
Worth	1,825	75.3	1,374	......	....	......	652	76.9	502	1,173	74.3	872
Wright	4,737	54.2	2,567	......	....	......	1,460	64.0	935	3,277	49.8	1,632
State Total	1,068,642	79.9	853,299	573,347	90.8	520,489	204,507	76.8	156,926	290,788	60.5	175,884

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Joplin	Jasper	11,395	83.9	9,562
Kansas City	Jackson	122,103	92.5	112,945
St. Joseph	Buchanan	21,716	87.5	19,002
St. Louis	St. Louis City	234,872	93.0	218,457
Springfield	Greene	18,645	87.7	16,347
University City	St. Louis	9,007	98.8	8,895

NAB Research Department

July 8, 1942

FEDERAL COMMUNICATIONS COMMISSION

925 STATIONS

During the month of June, 1942, the Federal Communications Commission granted one permit for the construction of a new station. No operating licenses were issued. A comparative table by month follows:

	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1
Operating	854	859	859	869	877	882	887	891	893	897	899	906	906
Construction	43	44	53	44	38	37	36	32	31	27	25	18	19
	897	903	912	913	915	919	923	923	924	924	924	924	925

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 13. They are subject to change.

Monday, July 13

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of license to move studio to Newark, N. J.; 970 kc., 1 KW, unlimited, DA-night.

Tuesday, July 14

Further Hearing

NEW—South Florida Broadcasting, Inc., Miami, Fla.—C. P., **1450 kc.**, 250 watts, unlimited.

Wednesday, July 15

NEW—Herman Radner, Dearborn, Mich.—C. P., **680 kc.**, 250 watts, daytime.

Further Hearing

NEW—Camden Broadcasting Co., Camden, N. J.—C. P., **800 kc.**, 500 watts, daytime.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Birney Imes and Robin Weaver, d/b as Imes-Weaver Broadcasting Co., Murfreesboro, Tenn.—Granted petition insofar as it requests dismissal without prejudice of its application for construction permit for a new station, and denied said petition in all other respects (B3-P-3215).

Southwestern Michigan Broadcasting Corp., Kalamazoo, Mich.—Granted petition to dismiss without prejudice its application for construction permit for new station (B3-P-3188).

WEBR—Edward H. Butler and Marjorie Mitchell Baird, individually; and Edward H. Butler as Trustee under the last will and testament of Edward H. Butler, deceased, doing business as Buffalo Evening News (Transferors); Paul E. Fitzpatrick and Buffalo Courier-Express, Inc. (Transferees): WEBR, Inc. (Licensee), Buffalo, N. Y.—Granted consent to transfer control of WEBR, Inc., licensee of station WEBR, Buffalo, N. Y., from Buffalo Evening News to Paul E. Fitzpatrick and Buffalo Courier Express, Inc. (B1-TC-305).

KXA—American Radio Telephone Co., Seattle, Wash.—Granted construction permit (B5-P-3272) to move transmitter locally and install new antenna, subject to applicant's filing application and provide for operation of the station at a site which meets the standards of Good Engineering Practice when conditions make it feasible to obtain necessary materials.

WDGY—George W. Young, Minneapolis, Minn.—Granted modification of license to provide for unlimited time operation with power of 250 watts night, 5 KW LS, conditions.

W71SB—South Bend Tribune, South Bend, Ind.—Granted modification of construction permit (B4-MPH-99) extending completion date for period of 6 months from June 25.

W75NY—Metropolitan Television, Inc., New York City.—Granted modification of construction permit (B1-MPH-106) for extension of completion date to December 30, 1942.

DESIGNATED FOR HEARING

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Designated for hearing application for increase of day power to 10 KW (B5-P-3377).

KXO—Valradio, Inc., El Centro, Cal.—Designated for hearing modification of license (B5-ML-1128) to change frequency from **1490 kc.** to **1230 kc.**

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Designated for hearing construction permit (B1-P-3479) to increase power to 1 KW day and night and make changes in directional antenna system.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Designated for hearing construction permit (B2-P-3427) to increase power to 250 watts and make changes in equipment.

WORK—York Broadcasting Co., York, Pa.—Designated for hearing modification (B2-MP-1560) of construction permit (B2-P-3205) to authorize installation of a new transmitter.

WHEB—R. G. LeTourneau (Transferor), The LeTourneau Foundation (Transferee); WHEB, Inc. (Licensee), Portsmouth, N. H.—Designated for hearing application (B1-TC-301) for consent to transfer control of WHEB, Inc., from R. G. LeTourneau to The LeTourneau Foundation.

W55NY—W. G. H. Finch, New York City.—Designated for hearing application (B1-MPH-104) for new FM station.

WCAU Broadcasting Co., Philadelphia, Pa.—Designated for hearing construction permit (B2-PCT-13) for new television (commercial) station to operate on Channel No. 5, **84000-90000 kc.**, ESR 1128.

W79C—Oak Park Realty and Amusement Co., Chicago, Ill.—Designated for hearing application (B4-MPH-97) for modification of construction permit to extend completion date of new FM station to December 28, 1942.

LICENSE RENEWALS

WSGN—The Birmingham News Co., Birmingham, Ala.—Granted renewal of license for the period ending June 1, 1944 (B3-R-420).

WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license for the period ending October 1, 1942 (B1-R-178).

WSPR—WSPR, Inc., Springfield, Mass.—Granted renewal of license for the period ending October 1, 1942 (B1-R-886).

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted renewal of license for the period August 1, 1942, to October 1, 1944 (B2-R-297).

The following stations were granted renewal of licenses for the period ending August 1, 1944:

WHA, Madison, Wis.; WGBG, south edge of Greensboro, N. C.; WMMN, Fairmont, W. Va.; WORL and auxiliary, Boston; WPEN and auxiliary, Philadelphia, Pa.; WSPA, Spartanburg, S. C.; WWJ and auxiliary, Detroit, Mich.

The following stations were granted renewal of licenses for the period August 1 to December 1, 1942:

WHEC, Rochester, N. Y.; WKBH, LaCrosse, Wis.; WMBD, Peoria, Ill.; WMPS, Memphis, Tenn.; WROK, Rockford, Ill.; WSFA, Montgomery, Ala.

MISCELLANEOUS

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted modification of construction permit as modified, which authorized installation of new transmitter and directional antenna for day and night use, increase in power, change in frequency, and move of transmitter, for extension of completion date from July 10 to September 10, 1942 (B3-MP-1591).

KTKC—Tulare-Kings Counties Radio Associates, Visalia, Calif.—Granted license to cover construction permit as modified, to change frequency, increase power, install new transmitter and make changes in directional antenna for day and night use, and move transmitter (B5-L-1674). Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1407).

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted license to cover construction permit as modified for move of transmitter, increase in night power, and install directional antenna for night use (B3-L-1675). Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1410).

WKAQ—Radio Corp. of Porto Rico, San Juan, Puerto Rico.—Granted construction permit to move auxiliary transmitter to new location of main transmitter and use for emergency purposes only (B-P-3501).

KSAM—W. J. Harpole and J. C. Rothwell, d/b as Radio Station KSAM, Huntsville, Tex.—Granted modification of license for move of studio to site of transmitter at Walker County Fair Ground (B3-ML-1124).

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit as modified for installation of directional antenna for night use, move transmitter and increase power, for extension of completion date from July 20, 1942, to January 20, 1943.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted license to cover construction permit to install directional antenna for night use and increase power (B3-L-1678); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1414).

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted authority to determine operating power by direct measurement of antenna input (B4-Z-1378).

WIS—Surety Life Insurance Co., Columbia, S. C.—Granted modification of construction permit (B3-P-2870, as modified, authorizing changes in directional antenna for night use and increase in power) for extension of completion date from June 25 to September 25, 1942 (B3-MP-1594).

KVOD—Colorado Radio Corp., Denver, Colo.—Granted license to cover construction permit for increase in power, install new transmitter and changes in directional antenna (B5-L-1676); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1411).

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Cal.—Granted modification of construction permit, as modified, which authorized new equipment, increase in power, installation of directional antenna for night use, and move of transmitter, for extension of completion date from July 12 to October 12, 1942 (B5-MP-1588).

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit as modified, for installation of directional antenna day and night and increase power, for extension of completion date from July 16 to August 16, 1942 (B5-MP-1590).

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Granted modification of construction permit which authorized a new station, for change in type of transmitter (B4-MP-1579).

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Granted modification of construction permit, as modified, which authorized increase in power, move of transmitter, install new transmitter and directional antenna for day and night use, for extension of completion date from July 2 to August 2, 1942 (B5-MP-1592).

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Granted modification of construction permit, as modified, which authorized increase in power, installation of new equipment and directional antenna for day and night use, for extension of completion date from June 11, 1942, to December 11, 1942 (B1-MP-1554).

W9XJC—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Granted modification of construction permit, which authorized new ST broadcast station, for extension of commencement and completion dates from December 14, 1941, and June 14, 1942, to December 14, 1942, and June 14, 1943, respectively (B4-MPST-7).

WLW—The Crosley Corp., Cincinnati, Ohio.—Denied petition to grant application for increase in power, and designated said application for hearing (B2-P-3226).

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Denied petition to grant application for change in power and frequency, and designated said application for hearing (B5-P-3303).

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Denied petition to grant application for increase in power, and designated said application for hearing (B5-P-3477).

Peter Q. Nyce, Alexandria, Va.—Denied petition "to preserve status quo of application and for other relief" in re application for construction permit for new station, and designated said application for hearing (B2-P-3172).

J. Marion West, Wesley W. West, and P. M. Stevenson, Houston, Tex.—Denied petition requesting that no action be taken upon application for construction permit for new station pending determination of the issues as set forth in Order No. 79; designated said application for hearing (B3-P-2854).

Lexington Broadcasting Co., Lexington, N. C.—Denied petition to grant application for construction permit for new station, and designated said application for hearing (B3-P-3122).

John D. Ewing, New Orleans, La.—Denied petition to grant application for construction permit for new station, and designated said application for hearing (B3-P-3373).

H. Ross Perkins & J. Eric Williams, d/b as The New Haven Broadcasters, New Haven, Conn.—Denied petition to grant application for construction permit for new station, and designated said application for hearing (B1-P-3216).

Hugh Francis McKee, Portland, Ore.—Denied petition to grant application for construction permit for new station, and designated said application for hearing (B5-P-3225).

Fort Smith Newspaper Publishing Co., Fort Smith, Ark.—Denied petition to consider and grant forthwith application for construction permit for new station, and designated said application for hearing (B3-P-3117).

Capital City Broadcasting Co., Inc., Topeka, Kans.—Denied petition to consider and grant forthwith application for construction permit for new station, and designated said application for hearing (B4-P-3059).

KOAM—Pittsburg Broadcasting Co., Inc., Pittsburg, Kans.—Denied petition to grant application for change in power and frequency, and designated said application for hearing (B4-P-3198).

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Denied petition and supplemental petition to grant application for change in power and frequency, and designated said application for hearing (B4-P-3389).

WHAS—Courier-Journal and Louisville Times Co., Louisville, Ky.—Denied petition for consideration of application for increase in power, and designated said application for hearing (B2-P-3350).

WHEB—WHEB, Inc., Portsmouth, N. H.—Denied petition to grant application for an increase in power with hours of operation limited to daytime, and designated said application for hearing (B1-P-3448).

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Denied petition to grant application for increase in daytime power, and designated said application for hearing (B3-P-3463).

KALB—Alexandria Broadcasting Co., Alexandria, La.—Denied petition for partial grant of application (B3-P-3062, Docket No. 6130) to authorize change in frequency from **1240 kc.** to **580 kc.** with present power of 250 watts. Hearing scheduled for July 8, 1942.

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Denied petition for reconsideration and grant of application for authority to operate during nighttime hours with power of 5 KW, and amended issues (Docket No. 6267).

WBOC—Peninsula Broadcasting Co., Salisbury, Md.—Denied petition to reconsider and grant application to change frequency to **960 kc.**, with power of 1 KW, to make changes in equipment and to install a directional antenna for use during nighttime hours, and set forth the issues upon which the application will be heard (Docket No. 6302).

Associated Broadcasters, Inc., Indianapolis, Ind.—Denied petition to reconsider and grant application for new station, and set forth the issues upon which the application is to be heard (Docket No. 6288).

Herald Publishing Co., and Dorman Schaeffer, both of Klamath Falls, Ore.—Denied petitions filed pursuant to the Commission's Memorandum Opinion of April 27, 1942, in re applications for new stations, and set forth additional issues upon which the applications are to be heard at further hearing (Dockets 6090 and 6091).

Barclay Craighead and Hennessy Broadcasting Co., both of Butte, Mont.—Denied petitions to reconsider and grant applications for new stations, and designated issues for further hearing on the applications (Docket Nos. 6132 and 6131).

Herman Radner, Detroit, Mich.—Denied petition filed pursuant to Commission's Memorandum Opinion of April 27, 1942, for reconsideration and grant without hearing application for new station (Docket No. 6220).

KFRC—Don Lee Broadcasting System, Inc., San Francisco, Cal.—Denied petition for rehearing directed against the action of the Commission April 8, 1942, granting in part the application of Midnight Sun Broadcasting Co. (KFAR), Fairbanks, Alaska, authorizing increase in power to 5 KW.

KDNT—Harwell V. Shepard, Denton, Texas.—Denied petition for grant of application (B3-P-3345) for permit to increase power from 100 to 250 watts, and supplemental petition requesting that grant of application be expedited, and designated said application for hearing.

WNOE—WNOE, Inc., New Orleans, La.—Denied petition to grant application for change in power and frequency, and designated said application for hearing.

WRLC—R. G. LeTourneau, Taccoa, Ga.—Denied petition for grant of application for change in power, frequency, and hours of operation, and designated said application for hearing. (B3-P-3451)

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Denied petition to grant application for change in power and frequency, and designated said application for hearing. B3-P-3036)

WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Denied petition to grant application for increase in power, and designated said application for hearing. (B1-P-3458)

The Constitution Broadcasting Co., Atlanta, Ga.—Entered order dismissing application (Docket 6075) for new station to use **550 kc.**, 1 KW night, 5 KW LS, unlimited time.

WOWO—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Entered order dismissing application for construction permit (Docket 6154); **1190 kc.**, 50 KW, unlimited.

Hughes Productions (Division of Hughes Tool Co.), San Francisco, Cal.—Denied petition to grant application (B5-PCT-18) to convert outstanding construction permit into commercial television station, and designated application for hearing.

Hughes Productions (Division of Hughes Tool Co.), Los Angeles, Cal.—Denied petition to grant application (B5-PCT-17) to convert outstanding construction permit into commercial television station, and designated application for hearing.

WOKO, Inc., Albany, N. Y.—Denied petition to retain application (B1-PH-80) for new FM station in the pending files rather than dismiss in accordance with Memorandum Opinion of April 27, 1942; and designated said application for hearing.

La Crosse Tribune Co., La Crosse, Wisc.—Denied petition for consideration of application (B4-PH-115) for new FM station under Memorandum Opinion of April 27, and designated application for hearing.

KFXD—Frank E. Hurt, Nampa, Idaho.—Denied Special Service Authorization (B5-SSA-29) for operation on **1030 kc.**, 250 watts, unlimited time, for the period ending October 1, 1942.

APPLICATIONS FILED AT FCC

550 Kilocycles

KOAC—Oregon State Agricultural College, Corvallis, Oregon—License to cover construction permit (B5-P-2422 as modified) for installation of new transmitter, directional antenna for day and night use, increase in power and move transmitter.

KOAC—Oregon State Agricultural College, Corvallis, Oregon—Authority to determine operating power by direct method.

570 Kilocycles

KUTA—Jack Powers, David G. Smith, Frank C. Carman and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah—License to cover construction permit (B5-P-2342 as modified) for installation of new transmitter, directional antenna for day and night use, increase in power and move transmitter.

KUTA—Jack Powers, David G. Smith, Frank C. Carman and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah—Authority to determine operating power by direct method.

620 Kilocycles

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—License to use formerly licensed Western Electric transmitter as an auxiliary with 1 KW power.

850 Kilocycles

WJW—WJW, Inc., Akron, Ohio—Modification of construction permit (B2-P-3263 as modified) which authorized new transmitter, change frequency, increase power, install directional antenna and move transmitter requesting change in type of transmitter and extension of commencement and completion dates.

860 Kilocycles

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Modification of construction permit (B5-P-2631 as modified) which authorized increase in power, change in hours of operation, install new transmitter, directional antenna for night use and move transmitter requesting extension of completion date from 8-30-42 to 11-30-42.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of construction permit (B5-P-2783 as modified) which authorized new equipment and increase in power, requesting extension of completion date from 8-1-42 to 10-1-42.

1170 Kilocycles

KUOO—Southwestern Sales Corp., Tulsa, Okla.—Modification of construction permit (B3-P-2539) which authorized increase in power, change hours of operation, install new transmitter and directional antenna for night use requesting changes in directional antenna and extension of commencement and completion dates.

1220 Kilocycles

WGNY—WGNY Broadcasting Co., Inc., Newburgh, N. Y.—Special Service Authorization to operate unlimited time on **1220 kc.**, using 1 KW day and night for period ending 4-1-44.

1230 Kilocycles

WESX—North Shore Broadcasting Co., Salem, Mass.—Modification of license to move main studio from Salem, Mass., to Naugus Ave., Marblehead, Mass.

1330 Kilocycles

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—License to cover construction permit (B1-P-3481) for move of former main transmitter for use as auxiliary employing directional antenna, 1 KW power.

1400 Kilocycles

WBNY—Roy L. Albertson, Buffalo, N. Y.—Modification of license to change frequency from **1400 kc.** to **680 kc.**

1430 Kilocycles

KARM—KARM, The George Harm Station, Fresno, Calif.—Special Service Authorization to change frequency from **1430 kc.** to **1030 kc.**, employing directional antenna.

1480 Kilocycles

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—Special Service Authorization to operate with power of 1 KW on **1480 kc.**, unlimited time.

1490 Kilocycles

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Modification of license to change frequency from **1490 kc.** to **1330 kc.**, and change power from 250 watts to 100 watts night and 250 watts daytime.

1590 Kilocycles

WALB—Herald Publishing Co., Albany, Ga.—Voluntary assignment of license to Albany Herald Broadcasting Company.

FM APPLICATION

W49BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Modification of construction permit (B1-PH-10, as modified), which authorized construction of new high frequency broadcast station requesting change in type of transmitter, changes in antenna system and extension of completion date from 7-13-42 to 60 days after date of grant.

MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., Portable or Portable-Mobile, area of Chicago, Ill.—Construction permit for a new relay broadcast station to be operated on **1606, 2074, 2102** and **2758 kc.**, 25 watts power, A1, A2, A3 Emission.

NEW—National Broadcasting Co., Inc., Portable, area of Los Angeles, Cal.—Construction permit for new relay broadcast station to be operated on **1606, 2074, 2102, 2758 kc.**, 500 watts power, A3 Emission. To be used with KPO.

KEGA—Earle C. Anthony, Inc., Mobile, area of Los Angeles, Cal.—License to cover construction permit for relay broadcast station which authorized changes in equipment and increase in power.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Johnson Smith & Company—Alleging misrepresentation in the sale of watches advertised as "Railroad Type Watches," a complaint has been issued against Alfred Johnson Smith, Paul Smith and Arthur Smith, trading as Johnson Smith & Co., 6615 East Jefferson Ave., Detroit. (4778)

Gold-Tone Studios, Inc., also trading as Camera Art Co.; Irving A. Stern, Paul A. McGuire, Berthold Eidlin, as officials of both companies and Marion Stern, Doris McGuire, Emanuel Eidlin and Ephraim Eidlin, as officials of Camera Art Co., all of Rochester, N. Y., are charged in a complaint with misrepresentation in the sale of tinted or colored photographs or pictures designated "Gold-Tone Oil Colored Portrait," and the frames therefor. (4779)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Besol, Inc., 5713 Euclid Ave., Cleveland, has entered into a stipulation to cease certain representations in the sale of a medicinal preparation designated "Besol," recommended for the treatment of paroxysms of asthma. (03018)

Freydberg Bros., Inc., Stamford, Conn., manufacturer of blanket binding ribbon, stipulated that it will cease advertising, branding, labeling or selling any blanket binding ribbons having cut edges unless full and nondeceptive disclosure of the process of manufacture is made. According to the stipulation, the respondent caused certain blanket binding ribbons, manufactured by the cut-edge process whereby the edges are cut and not woven, to be enclosed in wrappers bearing labels or brands which failed to reveal that the ribbons had cut edges, and also invoiced such merchandise without disclosing the use of the cut-edge process. (3502)

Luxe Manufacturing Co., 147 Manhattan Ave., Brooklyn, N. Y., stipulated to cease representing that a hair rinse designated "Superglo Henna Rinse" is not a dye and that it imparts a natural shade to hair. (03017)

Poirier & Lindeman Co., and Beacon Cut Products Corp., 373 Fourth Ave., New York, stipulated that in the sale of blanket binding ribbon they will cease advertising, branding and labeling ribbon having cut edges unless full and non-deceptive disclosure of the manufacturing process is made by use of a generally understood descriptive term such as "Cut-Edge Blanket Binding." (3503)

Swiss Pine Importing Co., Inc., 611 Broadway, New York, seller of a hair dye preparation designated "Naturene," stipulated to cease certain representations in the sale of its product. (03019)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

David Chalmers Tobacco Co., 724 Main St., Kansas City, Mo., has been ordered to cease and desist from the use of lottery methods in the sale of smoking pipes or other merchandise. (4746)

Champion Specialty Co., 814 Central St., Kansas City, Mo., dealer in drug sundries, notions, novelties and premium merchandise, has been ordered to cease selling or otherwise disposing of any merchandise by means of a game of chance or lottery scheme. (4723)

James A. Reiss Co., Inc., 417 Decatur St., New Orleans, has been ordered to cease and desist from the use of lottery methods in the sale of candy. (4502)

The National Association of Broadcasters
Reports

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 28, July 17, 1942

NAB BOARD MEETS

With a 100 per cent attendance the Board of Directors of the National Association of Broadcasters concluded a two-day meeting in Chicago on Wednesday.

A report on membership shows that there are now 514 stations and allied industries affiliated with NAB in addition to which there is one network membership,—that of the Columbia Broadcasting System. No definite word regarding membership has been received from NBC or the Blue.

Vincent Callahan, representing Secretary of the Treasury Henry Morgenthau, outlined the project to have stations act as issuing agents for Treasury War Bonds. The Board pledged 100 per cent cooperation and a War Bulletin (No. 12), outlining various plans is being mailed to all Stations today.

To fill the vacancies occasioned by the resignations of Earl Gammons and Howard Lane the Board elected Ed. Hayek, KATE, and Art Westlund, KRE, respectively.

The report of the "Streamline Committee" was received and the committee was discharged with a vote of thanks. A resolution expressing confidence in President Neville Miller and pledging continued wholehearted support was unanimously adopted.

A project, recommended by the Research Committee, for the publication of complete market data, based upon the 1940 census figures, was approved. This publication will be forthcoming in the near future.

Sydney Kaye reported on BMI and a general discussion of the music situation was had. The AFM situation was discussed and the following statement issued:

"Mr. James C. Petrillo, president of the American Federation of Musicians, has instructed all musicians who are members of his union to stop making phonograph records and other types of recordings after July 31. Mr. Petrillo's order will affect all Americans who listen to music, and it will have a very serious effect upon the broadcasting industry. The broadcasting industry does not employ musicians to make records, and the musicians it employs are engaged on union terms.

"As the result of a series of great inventions, Americans, wherever they live, have become accustomed to the best in entertainment. The radio, the moving picture and the phonograph bring the great artists to the smallest village as well as to our large centers of population. Mr. Petrillo's order amounts to a statement that only those people who live in large cities, and who can afford to see the great artists in person, are entitled to enjoy their performances.

"Hundreds of broadcasting stations are located far from the centers of population at which an ample supply of the best in musical talent is available. Even if these stations could afford to hire more musicians than they now do, the limited amount of talent which would be available to them could not compete for public favor with the great popular and classical orchestras. If Mr. Petrillo can make his order effective, hundreds of broadcasting stations, which are necessary in the public interest and for the national defense, will have their usefulness to the public greatly curtailed.

"Mr. Petrillo is mistaken if he thinks that his order will bring more employment to musicians. All that it means is that millions of people will hear less music. Even if Mr. Petrillo's theory were correct, his order, at this time, would be not only arbitrary and illegal, but unpatriotic. Music plays a vital part in war morale. This is no time to destroy the phonograph record and the electrical transcription which bring the best in music to the people of the

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"BROADCASTING ESSENTIAL"—GENERAL HERSHEY

"Radio broadcasting" is included in the list of 34 broad essential activities which National Selective Service Headquarters has distributed to local boards for their guidance when considering individual registrants for deferment on occupational grounds (Class II-A, II-B, and III-B).

Radio broadcasting appears under the general classification "Communication Services: Telephone, telegraph, newspapers, *radio broadcasting, and television services and the repair of facilities."*

The list includes under broad activity classifications "the products, facilities, and services considered necessary to war production and essential to the support of the war effort", but in no way alters the statutory ban on group deferments.

The list specifies that such activities must meet one or more of the following tests:

(a) That the business is fulfilling a contract of the Army, Navy, Maritime Commission, or other Governmental agencies engaged directly in war production;

(b) that the business is performing a Governmental service directly concerned with promoting or facilitating war production;

(c) that the business is performing a service, Governmental or private, directly concerned with providing food, clothing, shelter, health, safety, or other requisites of the civilian daily life in support of the war effort;

(d) that the business is supplying material under subcontracts for contracts included in (a), (b), or (c), above; or,

(e) that the business is producing raw materials, manufacturing materials, supplies, or equiment, or performing services necessary for the fulfillment of contracts included in (a), (b), (c), or (d) above.

Radio broadcasting would come under (c) above, Selective Service officials stated, as a "requisite of the civilian daily life in support of the war effort."

Having found that the business in which a registrant is engaged comes under some group in the list, and having applied the tests and made the determination that it is an essential activity, consideration will be given to the occupation of the registrant, within that activity, and if he is found to be a "necessary man" as defined by Selective Service Regulations, and difficult or impossible to replace, occupational classification may be made by the local board.

With regard to protection of family relationships and dependents, National Headquarters issued amendments to its Regulations and a memorandum supplementing recently outlined broad policies for induction of single men with dependents and married men who maintain bona fide family relationships in their homes with wives, children, or both.

Broadly, the amendments and memorandum break down Class III-A and Class III-B (the first for the registrant with dependents who does not contribute to the war effort, and the second for the registrant with dependents who does contribute to the war effort) so that when selecting men for induction the local boards may give consideration to both their dependency status and activity in war work. Many "necessary men" in broadcasting now

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

"BROADCASTING ESSENTIAL"—GENERAL HERSHEY

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in Class III-A will presumably be reclassified in Class III-B under the new set-up.

Deferment Procedure

As pointed out by Major Ernest M. Culligan, Director of Information, Selective Service System, at the Selective Service Breakfast at the Cleveland Convention, it is the patriotic duty of station operators to file Form 42-A with the local board of any man they consider necessary. Form 42-A should be filed when the registrant files his questionnaire, or as soon as possible thereafter. Form 42-A is basic to the local board's determination that he is *in fact* a "necessary man." This should also be done in the case of any necessary men who are now classified in Class III-A in order to enable local boards to reclassify them in Class III-B.

If men you believe to be "necessary men," and as to whom you have filed Form 42-A with their local boards, are not classified as II-A, II-B, or III-B, you should appeal the classification to the Board of Appeals. You have ten days in which to take an appeal from the date of the notice of the registrant's classification. It is desirable that you simultaneously notify the State Occupational Adviser, through the State Director of Selective Service in your State capital, that you have appealed the classification in question. Station operators, on the other side of the picture should make every effort to replace able-bodied men with others not subject to military service.

Be sure to keep informed of the draft status of your employees. Contact your local boards and help them to understand the complexities of your business and its part in the war effort.

A "necessary man" is defined by the Regulations as follows:

"622.24. 'Necessary man' defined. A registrant shall be considered a 'necessary man' in industry, business, employment, agricultural pursuit, governmental service, or in any other service or endeavor, including training or preparation therefor, only when all of these conditions exist: (1) He is, or but for a seasonal or temporary interruption would be, engaged in such activity; (2) he cannot be replaced because of a shortage of persons with his qualifications or skill in such activity; and (3) his removal would cause a serious loss of effectiveness in such activity."

We print for your information the Regulations governing classification of registrants deferred by reason of occupation:

"622.21. Class II-A: Man necessary in his civilian activity. (a) In Class II-A shall be placed any registrant found to be a 'necessary man' in any industry, business, employment, agricultural pursuit, governmental service, or any other service or endeavor, or in training or preparation therefor, the maintenance of which is essential to the national health, safety, or interest.

"(b) Class II-A deferments shall be for the period of 6 months or less as may be deemed necessary to secure or train a replacement for the registrant. If there is a change in the registrant's status during the period of his deferment in Class II-A, his classification shall be reopened and considered anew. At the expiration of the period of the registrant's deferment in Class II-A, his classification shall be reopened, and he shall be classified anew. When the registrant is classified anew, he shall not be again placed in Class II-A unless such classification is warranted, and in addition, the registrant or the registrant's employer convinces the local board, or the board of appeal (if an appeal is taken), or the President (if an appeal is permitted and is taken) that a reasonable but unsuccessful effort has been made during the period of deferment to secure or to train a replacement. If these conditions are met and the registrant is again placed in Class II-A, such further deferment shall be for the period of 6 months or less as may be deemed necessary to secure or train a replacement. The same rule shall be applied when again classifying such a registrant at the end of each successive period for which he has been classified in Class II-A.

"622.22. Class II-B: Man necessary to the war production program. (a) In Class II-B shall be placed any registrant found to be a 'necessary man' in any industry, business, employment, agricultural pursuit, governmental service, or in any other service or endeavor, or in training or preparation therefor, the maintenance of which is necessary to the war production program.

"(b) Class II-B deferments shall be for a period of 6 months or less. If there is a change in the registrant's status during the period of deferment in Class II-B, his classification shall be reopened and considered anew. At the expiration of the period of the registrant's deferment in Class II-B, his classification shall be reopened, and he shall be classified anew. In again classifying the registrant, care should be taken not to impede the war production program. The registrant should be again classified in Class II-B for a period of 6 months or less if such classification is warranted and if the registrant's employer has made a reasonable but unsuccessful effort to secure or train a replacement for the registrant during the period of deferment. The same rule shall be applied when again classifying such a registrant at the end of each successive period for which he has been classified in Class II-B.

"622.23. General rules for classification in Class II-A and Class II-B. (a) On the local board is placed the primary responsibility of deciding which men should be deferred because of their civilian activities. It is in the national interest and of paramount importance to our national defense that civilian activities which are directly contributing to the war effort or which are otherwise essential to the national health, safety, or interest should be maintained where possible, consistent with the fundamental purposes of the Selective Training and Service Act of 1940, as amended.

"(b) No deferment from training and service shall be made in the case of any individual except upon the basis of the status of such individual, and no deferment shall be made of individuals by occupational group or groups of individuals in any plant or institution.

"(c) The local board may avail itself of the assistance of all Federal, State, or local agencies (such as the Office of Production Management Labor Supply Committees, State and Federal employment services, State occupational advisors, county agricultural agents, or others) to obtain information in cases of occupational deferments."

NAB BOARD MEETS

(Continued from page 435)

United States. This is no time to have any part of the nation's manpower engaged in the performance of artificially-created tasks. This is no time to try to abolish one of the world's great inventions.

"Radio employs thousands of musicians. Millions of dollars are paid annually to musicians to make recordings. We call upon the members of Mr. Petrillo's union and on Mr. Petrillo himself, in the interests of the war effort and in the best interests of the American Federation of Musicians, to reconsider the course of action which has been proposed."

President Miller reported on the tax situation, as it is now pending in Congress, and upon the recent hearings on the Sanders Bill before the House Committee on Interstate and Foreign Commerce.

The contribution of the radio industry to the war effort was thoroughly reviewed. The equipment pool, and tire and gasoline rationing were discussed.

Mr. Morency made a brief report on the progress and development of the department store clinic, a project launched by the Department of Broadcast Advertising.

President Miller announced the appointment of Howard Frazier as Director of Engineering to succeed Lynne C. Smeby, resigned.

The Board directed that plans for the New Orleans convention be gotten under way immediately.

Another meeting of the Board is planned for September.

NO RADIO TAX IN BILL

The Revenue Bill of 1942 (H. R. 7378), introduced in the House on Tuesday, contains no tax on radio broadcasting or advertising.

NAB had appeared before the House Ways and Means Committee in April, urging the members to throw out a proposal of the printing trades unions that radio time sales be subjected to a special penalty tax ranging from 5 to 15 percent.

Debate on the bill began yesterday under a rule banning amendments except committee amendments. It is expected that the measure will pass the House next Monday, and thereafter be referred immediately to the Senate finance committee.

FRAZIER NEW NAB ENGINEER

Howard Frazier is NAB's new Director of Engineering. He will report Monday, August 3.

Mr. Frazier has had a long career in the broadcasting business. His first radio job was Control Operator of WCAU, then a 500 watt station operating four evenings a week, 7 to 10 p. m. That was in 1925. Two years later he was Chief Engineer of a Philadelphia station and from 1929-34, Chief Engineer of the Tauble-Haron group of stations—WPEN, WRAX, WTNJ and WFAB.

At this point in his career he became interested in long distance wire line broadcasting circuits, and built a system using Western Union wires to provide reliable, high-fidelity transmission of programs and Morse telegraph communication on a single pair of wires. Special repeaters were installed at each station with emergency fall-back amplifiers and auxiliary power supply. The entire circuit was instantaneously reversible from New York to Washington and is still in use daily between Philadelphia and New York.

He was a consulting engineer on long distance broadcast circuit problems to the American Network with WMCA as key station.

Between 1934 and 1937 Mr. Frazier was consulting engineer and from 1937 to July 6, 1942, was President and General Manager of WSNJ, Bridgeton, N. J. Recently he has been sales engineer on Navy contracts for RCA Manufacturing Company.

He is a native of Bridgeton, N. J., and has lived most of his life in Philadelphia. Mr. Frazier is married and has three children.

WPB STUDIES INDUSTRY NEEDS

On next Monday the Transmitter and Vacuum Tube Industry Advisory Committee meets at WPB, according to Frank McIntosh, chief, Radio Section, Communications Branch. This Industry Committee will study production, needs of the industry, facilities, and further conservation methods.

The Industry Advisory Committee on Replacement Parts for Radio Receivers met at WPB last Monday. Several task committees were appointed to indicate the needs in maintaining home reception and to consider ways for conservation. Reports will be received and studied at WPB on August 13.

BWC ASKS FOR TUBE DATA

The Board of War Communications has determined that transmitting tube information shall be furnished to it and in this connection the Board has sent the following communication to all standard broadcast stations:

Enclosed is a copy of Order No. 13, to which is attached a questionnaire calling for complete information from each licensee with respect to the number and types of transmitting tubes on hand at each broadcast station and the number of hours such tubes have been in service. The Order requires all licensees to fill out the questionnaire and submit one copy to the Board on or before August 1, 1942.

It should be pointed out that the expression "in possession of the licensee" which appears in the questionnaire, is not intended to limit the tubes on which information is required to those legally in the possession of licensees. Information should be given with respect to all tubes available to the licensee, if those tubes are owned either by the licensee or by affiliated or associated companies or interests. Care should be taken, however, to avoid filing information with respect to the same tube by more than one licensee.

A recent survey conducted by Committee IV (Domestic Broadcasting) of the Board to determine the general condition and reserve of transmitting vacuum tubes in the broadcast industry has developed an imperative need for the information sought by the questionnaire. Studies such as that provided by the enclosed Order are necessary if the Board is adequately to perform its function in preparing plans to meet, so far as possible, the needs of the industry during the period of the war.

The resolution passed by the Board calling for this information was as follows:

Whereas, The Board of War Communications has determined that complete information should be obtained with respect to the transmitting tubes of each standard broadcast station;

Now, therefore, By virtue of the authority vested in the Board by Executive Order No. 8546 of September 24, 1940:

It is hereby Ordered, That each licensee of a standard broadcast station shall furnish the information concerning transmitting tubes specified in the attached questionnaire by filing one copy of such questionnaire, properly completed, with the Board on or before August 1, 1942.

Subject to such further order as the Board may deem appropriate.

WFBC ANNOUNCER TO MARINES

Participation in a recruiting for the Marines was too much for Staff Announcer Bob Youmans, WFBC, Greenville, S. C.

After assisting in a drive which netted 59 men, he gave up his job and joined the Devil Dogs as the fifty-ninth member of the Greenville platoon. His final broadcast was a remote from inside the bus, chartered by the station, to carry the group to headquarters in Savannah, Ga.

PER-INQUIRY AND FREE TIME OFFERS

Reports are coming in thick and fast from stations all over the country on the Happiness Magazine, New York City, which is seeking per-inquiry time for subscription deals.

Esquire Magazine, Chicago, wants free time for *fashion filler material.*

The Frank R. Steel Co., Chicago, is seeking P-I deals on behalf of Princess Pat cosmetics.

National Radio Features, Omaha, Neb., is seeking similar deals to promote Real-Sheer beauty film, one of the current lotions used as hosiery substitutes.

All have been invited to use radio on the basis of established rates.

EXPRESS CO. AFTER FREE TIME

Railway Express Agency is seeking free time on their "new" system of follow up service for packages sent to soldiers in the armed forces. Noting that they have just announced a tremendous advertising campaign in newspapers and magazines, for which plenty of cash money has been appropriated, a station writes in:

"As a matter of fact, the Post Office Department has been doing the same thing about re-forwarding packages without additional charge to soldiers, for a long time, so that this move by the Railway Express Agency is simply competitive, and we can see no reason why it should receive free advertising by radio stations."

They have been invited to use radio at regular rates.

WAR DAMAGE INSURANCE

The NAB has sought clarification of the status of radio stations under the War Damage Insurance rate schedule. Having been advised by the War Damage Corporation that it had classified radio stations under Code 14 ("Publicly or privately owned utilities such as light, water, heat, power and communications systems, including transmission lines, underground piping, wiring and conduits."). NAB requested reconsideration of the classification on July 3.

NAB stated its belief that the studio and transmitter house of a radio station should come under Code 4 ("Apartments, hotels, offices, mercantiles, warehouses and other buildings not used for manufacturing."), and that radio broadcasting towers should come under Code 5 ("Manufacturing plants, piers, wharves, bridges and structures not otherwise specifically provided for."). NAB also asserted that in its opinion Code 14 is not a proper classification because radio broadcasting stations do not have any of the characteristics of the public utilities listed under Code 14.

The War Damage Corporation advised NAB on July 11 that in compliance with NAB's request for reconsideration, the matter would be placed before the authorities of the War Damage Corporation for decision.

TEN DIPLOMATS ON WHOM

A feature of WHOM's Flag Day broadcast was ten 15 minute live programs, on which ten diplomatic representatives of the United Nations appeared. Most of the diplomats spoke in their native tongue. The ten periods were topped off with a 30 minute salute to the rest of the allies.

WROK IS 100%

Staff members of station WROK, Rockford, are participating 100 percent in the Treasury Department's payroll savings plan for the purchase of War Bonds. Walter M. Koessler, WROK general manager, announces that each of the 21 station employees is buying bonds and stamps on a weekly payroll basis.

Washington Notes

Gardner Cowles, Jr., associate publisher of the Des Moines Register and Tribune, and head of KSO and KRNT Des Moines, WMT, Cedar Rapids and WNAX, Yankton, S. D., has been appointed assistant in charge of domestic news in the Office of War Information. Appointment was made by Elmer Davis, chief.

At a press conference early this week Chairman James Lawrence Fly of the FCC said that various studies on the whole problem of radio equipment conservation are being made. He also discussed the diathermy situation and stated that the Commission is a little concerned about the registery of these machines. He said that 67,601 have been registered but he guessed that this is not more than two-thirds of the machines in the United States.

TO AMEND RADIO LAW

On Monday a bill (H. R. 7370) was introduced by Representative Lea (D.-Calif.) which, insofar as it affects broadcasting, would amend Section 318 to permit by Executive Order waiver of compliance with or modification or suspension of the operation of the provisions of that section. Proposed by Chairman Fly of the BWC-FCC, the purpose insofar as broadcasting is concerned is to provide a way for friendly aliens to operate transmitting apparatus.

Section 318 requires that transmitting apparatus operated under a station license shall be operated only by persons holding an operator's license. Since under the law, aliens are prohibited from receiving an operator's license, it is impossible for Latin Americans or other friendly aliens to operate such transmitting apparatus. The bill, which was referred to the Committee on Interstate and Foreign Commerce, would permit temporary relaxation of such requirements for the duration and six months thereafter.

Programs for Victory

RADIO PLAN TO SAVE GRAIN

Attention broadcasters in all grain raising states!

You will notice that the No. 2 Radio War Guide gives AA priority rating for regional broadcasts on grain storage.

Radio station WDAY, Fargo, did some tall thinking on the subject as how best to help and, with station KFYR, Bismarck, and interested state, local and federal officials, are working on a program which should prove of value wherever there is insufficient storage facilities. The movement was activated on July 7 and the plan is called "Garages for Grain."

There are between 50 and 80 million bushels of grain that will be left to rot in the fields unless sufficient storage space is found in North Dakota. Throughout the grain belt, local and terminal elevators are plugged with grain and there is little room left to store this Fall's harvest. Yet, more than ever, this is the year when it is imperative not to waste a single bushel.

Through the Commodity Credit Corporation, many storage bins are being constructed, but this program won't meet the demands, according to the broadcasters.

Many thinking people became worried about this critical situation, but it remained for a radio attorney to suggest a plan that has become radio's answer to the emergency. He is Harold Bangert, general counsel for station WDAY. It was his contention that there must be hundreds of garages and buildings throughout North Dakota that could be adapted for grain storage.

WDAY's War Service committee was first to consider the plan. Approving it, the plan was next taken to the state and county war boards of the AAA, where it was again approved. Now county boards are registering the buildings in the "Garage for Grain" and then sending official inspectors to determine whether the buildings are suitable, for grain storage. Thus a reserve pool of storage space is made available for rental by farmers.

"Garages for Grain" was launched in a special state-wide broadcast originating at WDAY and carried by KFYR. These two stations are directing the campaign. A special portion of the program was broadcast from Governor John Moses' garage at Bismarck. The ceremonies consisted of the Governor signing for his own garage as No. 1 in the state. During the broadcast he officially endorsed the radio plan and urged all North Dakotans to cooperate in the registration.

Other speakers on the special half-hour program were Dean H. L. Walster of the North Dakota Agricultural College, Chairman of the state grain storage committee; E. W. Anderson, chairman of the North Dakota AAA; and Attorney Lavin.

Station managers interested in bringing the "Garages for Storage" plan to their state and community are urged to write directly to Bill Dean, director of publicity, WDAY, Fargo, N. D.

"F.O.B. DETROIT" ON 96

"F.O.B. DETROIT," which originates in the studio of WJR, is another outstanding industry contribution to winning the war. Every Saturday afternoon at 3:30 p. m. it's fed to 96 CBS stations.

It is specifically designed to lift public morale by presenting some of the city's outstanding achievements on the production line. Important Detroit industrialists whose factories are given over to war production, highlight the program. The body of the show is musical with stirring martial music by the WJR orchestra and patriotic and traditional songs by the WJR chorus. Among the industrialists who have already appeared on the program are:

C. E. Wilson, president, General Motors Corp.; H. J. Klingler, general manager, Pontiac Motor Division; Alvan Macauley, chairman of the board, Packard Motor Car Co.; H. H. Curtice, president of Buick Motor Car Co.; John Haien, Chrysler Corporation; W. J. Cameron, Ford Motor Company; G. W. Mason, president, Nash-Kelvinator Corp.; Walter P. Reuther, director, General Motors Department, UAW-CIO.; A. E. Barit, president, Hudson Motor Car Co.; C. W. Avery, president and chairman of the board, Murray Corporation of America; and Ernest Kanzler, director of Detroit Region and automotive branch of the War Production Board.

"F.O.B. DETROIT" is purely sustaining and constitutes part of WJR's contribution to the war effort, said Leo Fitzpatrick, general manager. Details of the program appear in a handsome brochure with three colors and gold on the cover and two colors inside. It contains the remarks of each industrialist who appeared on the program.

WFBC'S "RUBBER" MATINEE

A total of 511 children attended a children's matinee sponsored by station WFBC and the Carolina Theatre, Greenville, S. C., on July 11. Though admission was one pound of rubber, the average was over two pounds, since a total of 1,275 pounds of rubber was turned in.

One youngster won the $25.00 War Bond prize for bringing in the most rubber. He turned up with 124 pounds. Second place was won by a young Miss with 104 pounds. She also furnished 100 pounds of tires but these were not counted in this contest, due to the fact that tires were supposed to be turned in during the regular scrap drive.

Program Director Norvin Duncan and Station Manager Bevo Whitmire handled the broadcast. Chief Control Operator Hubert Brown promoted the idea.

"DIVIDE AND CONQUER" SERIES

Through the department of NAB Listener Activities and the Association of Women Directors, a series of thirteen announcements will be released that are timely and vitally important. They have been prepared in cooperation with the National Council of Women on the subject of "Divide and Conquer," inspired by the OFF booklet of the same name.

The Council believes it is essential to have people understand the nature of enemy propaganda to get us fighting among ourselves, against the British, against the Russians, and against groups in our own population.

KGNC MAKES "MERIT AWARDS"

In Amarillo, Texas, John Ballard, general manager, KGNC, has started a unique practice of giving merit awards to men and women of all ages who have performed some act or service of an outstanding nature. The award is open to civilians as well as members of the armed service.

First merit awards went to William Woods Ellison who recently won a distinguished award from Yale University for a thesis on "An Aeronautical Institute and Flying School." He is now stationed at Sheppard Field, Wichita Falls.

The second went to Lieut. Jimmy Daley, a member of the RAF, whose daring and heroic action in air combat with the enemy received world-wide recognition.

"We sincerely trust these merit awards will prove of some worth to those who receive them," said John Ballard, manager of KGNC, "for they are given with all the sincerity and respect at our command."

INDIANA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
County	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	5,455	88.7	4,836	1,686	94.7	1,598	1,374	91.3	1,254	2,395	82.8	1,984
Allen	42,223	95.0	40,101	32,998	96.7	31,918	4,680	93.0	4,352	4,545	84.3	3,831
Bartholomew	8,146	85.5	6,963	3,579	93.6	3,349	2,154	80.9	1,743	2,413	77.6	1,871
Benton	3,072	90.2	2,770	......	....	......	1,743	90.2	1,573	1,329	90.1	1,197
Blackford	3,948	91.3	3,603	2,076	93.9	1,949	858	88.9	763	1,014	87.9	891
Boone	6,640	90.7	6,023	2,013	91.2	1,835	1,570	90.1	1,415	3,057	90.7	2,773
Brown	1,618	60.6	982	......	....	......	434	70.2	305	1,184	57.2	677
Carroll	4,599	84.6	3,891	......	....	......	2,329	87.2	2,031	2,270	81.9	1,860
Cass	10,343	91.4	9,454	6,154	95.4	5,868	1,580	85.4	1,350	2,609	85.7	2,236
Clark	8,544	76.1	6,503	3,325	84.3	2,804	3,270	77.8	2,545	1,949	59.2	1,154
Clay	7,348	79.5	5,839	2,452	87.1	2,135	2,628	78.6	2,066	2,268	72.2	1,638
Clinton	8,356	90.3	7,551	4,026	95.2	3,834	1,858	84.4	1,569	2,472	86.9	2,148
Crawford	2,736	61.2	1,673	......	....	......	1,021	75.9	775	1,715	52.4	898
Daviess	7,067	78.5	5,546	2,710	90.4	2,449	1,676	78.9	1,322	2,681	66.2	1,775
Dearborn	6,447	83.3	5,364	2,715	90.8	2,466	1,680	86.2	1,449	2,052	70.6	1,449
Decatur	5,066	78.6	3,980	1,794	83.7	1,502	1,265	74.1	937	2,007	76.8	1,541
DeKalb	7,200	88.8	6,392	2,825	97.0	2,740	1,991	86.0	1,713	2,384	81.3	1,939
Delaware	21,719	93.5	20,316	14,685	94.0	13,810	4,205	92.5	3,888	2,829	92.5	2,618
Dubois	5,597	74.6	4,176	2,380	91.1	2,168	1,209	74.8	904	2,008	55.0	1,104
Elkhart	20,632	90.8	18,744	14,128	96.0	13,570	2,970	87.1	2,587	3,534	73.2	2,587
Fayette	5,455	90.3	4,925	3,700	93.3	3,451	644	82.6	532	1,111	84.8	942
Floyd	10,102	85.8	8,678	7,547	89.9	6,782	1,100	79.6	876	1,455	70.1	1,020
Fountain	5,362	84.6	4,536	1,126	92.3	1,039	2,315	82.7	1,915	1,921	82.3	1,582
Franklin	3,831	73.3	2,811	......	....	......	1,654	83.0	1,374	2,177	66.0	1,437
Fulton	4,615	88.1	4,066	1,185	95.7	1,134	1,162	89.1	1,035	2,268	83.7	1,897

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Gibson	8,563	80.9	6,924	3,249	87.5	2,843	2,567	81.6	2,095	2,747	72.3	1,986
Grant	15,783	92.7	14,635	8,985	93.7	8,421	3,831	92.9	3,558	2,967	89.5	2,656
Greene	9,150	77.9	7,121	2,993	87.4	2,616	2,898	79.8	2,313	3,259	67.3	2,192
Hamilton	7,462	88.4	6,595	1,738	91.1	1,584	2,537	88.5	2,246	3,187	86.8	2,765
Hancock	5,276	87.9	4,639	1,545	90.5	1,398	1,683	88.6	1,491	2,048	85.5	1,750
Harrison	4,562	66.4	3,030	......	....	......	1,601	74.8	1,197	2,961	61.9	1,833
Hendricks	5,896	86.2	5,083	......	....	......	2,993	88.8	2,659	2,903	83.5	2,424
Henry	11,252	91.7	10,323	4,773	95.2	4,542	3,949	89.5	3,535	2,530	88.8	2,246
Howard	13,528	93.2	12,614	9,579	94.4	9,041	1,831	90.4	1,655	2,118	90.5	1,918
Huntington	8,557	91.8	7,854	4,024	95.0	3,823	1,961	88.3	1,731	2,572	89.4	2,300
Jackson	7,296	79.7	5,816	2,578	89.3	2,301	2,098	80.6	1,691	2,620	69.6	1,824
Jasper	3,859	86.9	3,354	996	95.2	948	811	84.8	688	2,052	83.7	1,718
Jay	6,666	88.5	5,902	2,840	93.8	2,665	1,281	86.5	1,108	2,545	83.7	2,129
Jefferson	5,293	76.2	4,041	2,153	86.9	1,871	822	75.5	620	2,318	66.9	1,550
Jennings	3,428	67.1	2,299	896	91.6	820	634	68.3	433	1,898	55.1	1,046
Johnson	6,516	85.3	5,558	1,815	89.2	1,620	2,322	85.1	1,977	2,379	82.4	1,961
Knox	12,330	83.6	10,310	6,793	88.6	6,016	2,633	79.1	2,082	2,904	76.2	2,212
Kosciusko	8,653	87.0	7,530	1,914	93.2	1,784	3,133	87.8	2,751	3,606	83.1	2,995
Lagrange	3,864	74.7	2,885	......	....	......	1,575	90.5	1,425	2,289	63.8	1,460
Lake	75,902	94.5	71,713	68,895	94.8	65,300	5,046	93.5	4,719	1,961	86.4	1,694
La Porte	16,788	93.0	15,616	11,158	96.9	10,815	2,700	88.3	2,383	2,930	82.5	2,418
Lawrence	9,611	80.8	7,766	4,664	87.4	4,079	2,287	76.4	1,746	2,660	73.0	1,941
Madison	25,325	93.5	23,677	17,032	94.6	16,105	4,640	92.5	4,294	3,653	89.7	3,278
Marion	131,660	94.3	124,210	113,246	94.4	106,854	15,157	94.6	14,342	3,257	92.5	3,014
Marshall	7,329	86.7	6,362	1,726	92.6	1,598	2,641	88.9	2,349	2,962	81.5	2,415
Martin	2,600	64.6	1,680	......	....	......	1,165	75.8	883	1,435	55.6	797
Miami	8,168	90.4	7,382	3,704	94.8	3,512	2,022	87.9	1,777	2,442	85.7	2,093
Monroe	9,981	81.6	8,143	6,031	87.7	5,289	1,727	77.2	1,333	2,223	68.4	1,521
Montgomery	8,305	88.4	7,341	3,397	92.6	3,146	2,190	86.1	1,886	2,718	85.0	2,309
Morgan	5,690	77.5	4,415	1,499	92.6	1,388	1,825	81.0	1,479	2,366	65.4	1,548
Newton	3,022	85.4	2,584	......	....	......	1,720	90.1	1,550	1,302	79.4	1,034
Noble	6,598	87.1	5,748	1,668	96.8	1,614	2,209	87.9	1,941	2,721	80.6	2,193
Ohio	1,118	77.2	863	......	....	......	574	79.6	457	544	74.7	406
Orange	4,748	72.2	3,430	......	....	......	2,466	79.7	1,965	2,282	64.2	1,465
Owen	3,478	67.6	2,351	......	....	......	1,580	75.3	1,189	1,898	61.2	1,162
Park	5,016	77.7	3,899	......	....	......	2,777	78.9	2,190	2,239	76.3	1,709
Perry	4,533	67.7	3,068	1,445	86.4	1,249	1,281	69.9	896	1,807	51.1	923
Pike	4,759	70.7	3,361	951	80.7	767	1,811	76.8	1,391	1,997	60.2	1,203
Porter	7,703	90.7	6,985	2,549	97.0	2,474	2,990	91.8	2,745	2,164	81.6	1,766
Posey	5,437	75.3	4,095	1,735	78.5	1,361	1,755	75.4	1,322	1,947	72.5	1,412
Pulaski	3,216	79.8	2,565	......	....	......	1,391	86.7	1,207	1,825	74.4	1,358
Putnam	5,886	83.5	4,914	1,570	93.6	1,470	1,590	85.1	1,353	2,726	76.7	2,091
Randolph	8,066	87.1	7,031	2,752	96.2	2,646	2,041	84.2	1,718	3,273	81.5	2,667
Ripley	5,213	73.1	3,805	830	94.2	782	1,615	81.2	1,311	2,768	61.9	1,712
Rush	5,465	87.6	4,785	1,829	89.7	1,641	1,272	84.2	1,071	2,364	87.7	2,073
St. Joseph	43,804	94.1	41,204	35,842	95.2	34,108	4,867	91.6	4,456	3,095	85.3	2,640
Scott	2,550	74.7	1,904	......	....	......	1,359	85.0	1,155	1,191	62.8	749
Shelby	7,815	85.8	6,705	3,365	90.9	3,058	1,881	77.8	1,463	2,569	85.0	2,184
Spencer	4,413	67.0	2,956	......	....	......	2,086	74.4	1,551	2,327	60.4	1,405
Starke	3,438	77.5	2,665	......	....	......	1,769	83.8	1,482	1,669	70.9	1,183
Steuben	4,148	85.2	3,532	999	94.6	945	1,348	85.1	1,148	1,801	79.9	1,439
Sullivan	7,939	77.2	6,123	1,592	89.5	1,425	3,520	76.8	2,704	2,827	70.5	1,994
Switzerland	2,438	71.5	1,743	......	....	......	784	78.3	614	1,654	68.3	1,129
Tippecanoe	14,305	92.6	13,247	10,066	94.9	9,548	1,741	87.5	1,524	2,498	87.1	2,175
Tipton	4,385	89.6	3,930	1,539	93.1	1,433	1,069	86.2	921	1,777	88.7	1,576
Union	1,793	86.1	1,543	......	....	......	885	88.5	783	908	83.7	760
Vanderburgh	36,227	88.7	32,136	27,763	89.7	24,891	6,454	87.0	5,615	2,010	81.1	1,630
Vermillion	6,506	83.0	5,401	2,193	90.5	1,985	3,174	80.2	2,546	1,139	76.4	870
Vigo	30,080	86.9	26,153	20,737	89.0	18,451	6,909	83.2	5,748	2,434	80.3	1,954
Wabash	7,561	90.7	6,856	3,733	94.1	3,513	1,448	86.8	1,256	2,380	87.7	2,087
Warren	2,529	83.5	2,113	......	....	......	1,094	83.8	917	1,435	83.3	1,196
Warrick	5,433	73.3	3,998	1,401	88.1	1,234	1,769	74.2	1,313	2,263	64.1	1,451
Washington	4,662	71.1	3,309	995	90.4	900	865	72.7	629	2,802	63.5	1,780
Wayne	16,456	93.1	15,315	10,191	94.9	9,666	3,639	91.2	3,319	2,626	88.7	2,330
Wells	5,537	88.8	4,912	1,678	95.1	1,596	1,215	85.5	1,038	2,644	86.2	2,278

INDIANA—*Continued*

County	All Units Units	 % Radio	 Radio Units	Urban Units Units	 % Radio	 Radio Units	Rural-Nonfarm Units Units	 % Radio	 Radio Units	Rural-Farm Units Units	 % Radio	 Radio Units
White	4,873	86.1	4,199	976	93.3	911	1,885	86.2	1,625	2,012	82.7	1,663
Whitley	4,934	88.3	4,356	1,347	93.3	1.256	1.247	89.2	1.112	2.340	85.0	1.988
State Total	961,498	88.2	848,325	541.073	93.5	505,704	208,010	85.6	177,944	212.415	77.5	164,677

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Anderson	Madison	12,412	95.1	11,799
East Chicago	Lake	13.169	94.0	12,377
Elkhart	Elkhart	9,800	96.4	9,449
Evansville	Vanderburgh	28,363	89.9	25,493
Fort Wayne	Allen	32,998	96.7	31,918
Gary	Lake	30,005	93.0	27,914
Hammond	Lake	18,432	97.3	17,934
Indianapolis	Marion	112,231	94.3	105,871
Kokomo	Howard	9.579	94.4	9,041
Lafayette	Tippecanoe	8,132	94.0	7.642
Marion	Grant	8,032	93.9	7,538
Michigan City	La Porte	6,513	97.1	6,322
Mishawaka	St. Joseph	7,948	94.2	7,484
Muncie	Delaware	14,685	94.0	13,810
New Albany	Floyd	7,547	89.9	6,782
Richmond	Wayne	10.191	94.9	9,666
South Bend	St. Joseph	27,894	95.4	26.624
Terre Haute	Vigo	19,654	89.3	17.558

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NEW JERSEY

Estimated Radio Homes, 1940

County	All Units Units	 % Radio	 Radio Units	Urban Units Units	 % Radio	 Radio Units	Rural-Nonfarm Units Units	 % Radio	 Radio Units	Rural-Farm Units Units	 % Radio	 Radio Units
Atlantic	34,640	91.8	31,814	27,854	93.2	25,955	5.346	87.1	4,655	1.440	83.6	1,204
Bergen	110,446	97.8	108,030	99,020	98.0	96.999	10,804	96.7	10.451	622	93.2	580
Burlington	24,785	92.8	23,003	5.930	94.1	5,578	15.983	93.6	14,967	2,872	85.6	2,458
Camden	67,480	94.9	64,057	54,360	95.2	51,731	12,030	94.3	11,346	1.090	89.9	980
Cape May	8,632	90.2	7,785	3,750	94.7	3,551	4,275	87.0	3,719	607	84.8	515
Cumberland	19,842	90.2	17,900	10,866	93.7	10,178	6,184	85.6	5,294	2,792	87.0	2,428
Essex	221,679	96.3	213,501	217.870	96.3	209,740	3,611	98.9	3,571	198	95.9	190
Gloucester	19,429	92.2	17.919	8,008	95.4	7,640	8,759	91.6	8.021	2,662	84.8	2,258
Hudson	173.443	96.9	168,052	172,874	96.9	167,499	568	97.2	552	1	100.0	1
Hunterdon	10,317	91.4	9,434	2,002	93.6	1.874	5,153	92.8	4,784	3,162	87.8	2,776
Mercer	48,501	95.1	46,118	32,706	94.8	31,017	14.193	96.1	13,646	1,602	90.8	1,455
Middlesex	54,066	94.9	51,313	43,232	95.5	41,289	9,061	93.5	8,475	1,773	87.4	1,549
Monmouth	43,746	93.3	40,804	22.819	94.0	21,452	17,630	93.2	16,423	3,297	88.8	2.929
Morris	31,750	95.9	30,442	14,844	97.1	14,419	14,934	95.0	14,185	1,972	93.2	1,838
Ocean	10,921	90.9	9,925	......	....	......	10,036	91.3	9,166	885	85.7	759
Passaic	83,882	95.5	80,124	79,704	95.6	76,164	3,873	94.7	3,668	305	95.6	292
Salem	11,458	89.0	10,199	4,215	91.5	3,859	5,283	89.5	4.727	1.960	82.3	1,613
Somerset	18,401	95.5	17,564	10,549	96.6	10,186	5,930	94.5	5.607	1,922	92.1	1,771
Sussex	8,080	90.6	7,319	2,571	95.3	2,451	3,704	89.1	3,299	1,805	86.9	1.569
Union	84,870	97.2	82,453	79,211	97.2	77,003	5,510	96.4	5,311	149	93.2	139
Warren	13,892	92.5	12,856	7,252	95.5	6,923	4,808	90.7	4,362	1,832	85.8	1,571
State Total	1,100,260	95.5	1,050,612	899,637	96.2	865,508	167,675	93.2	156,229	32,948	87.6	28,875

NEW JERSEY—*Continued*

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Atlantic City	Atlantic	17,791	93.0	16,549
Bayonne	Hudson	19,123	97.3	18,605
Belleville	Essex	7,221	97.4	7,036
Bloomfield	Essex	11,479	98.8	11,345
Camden	Camden	30,478	93.1	28,373
Clifton	Passaic	13,125	98.1	12,882
East Orange	Essex	20,394	98.6	20,102
Elizabeth	Union	27,980	96.4	26,978
Garfield	Bergen	7,143	96.0	6,858
Hackensack	Bergen	6,789	96.9	6,577
Hoboken	Hudson	13,324	96.0	12,788
Irvington	Essex	15,995	98.8	15,806
Jersey City	Hudson	79,684	96.5	76,923
Kearny	Hudson	10,474	98.1	10,275
Montclair	Essex	10,305	97.7	10,069
Newark	Essex	112,194	94.4	105,879
New Brunswick	Middlesex	8,667	94.5	8,192
North Bergen Twp.	Hudson	10,991	97.8	10,749
Orange	Essex	9,249	95.3	8,815
Passaic	Passaic	16,025	94.0	15,062
Paterson	Passaic	38,685	94.8	36,679
Perth Amboy	Middlesex	10,292	95.1	9,792
Plainfield	Union	9,866	96.4	9,515
Teaneck Twp.	Bergen	6,904	99.4	6,860
Trenton	Mercer	29,594	94.8	28,052
Union City	Hudson	16,767	96.5	16,176
West New York	Hudson	11,403	98.0	11,177
West Orange	Essex	6,558	98.7	6,473
Woodbridge Twp.	Middlesex	6,477	94.6	6,125

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SOUTH CAROLINA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Abbeville	5,399	42.5	2,303	1,371	59.4	814	1,137	57.0	648	2,891	29.1	841
Aiken	12,418	49.3	6,090	2,516	62.9	1,582	4,935	60.8	2,999	4,967	30.4	1,509
Allendale	2,916	25.3	737	......	....	......	1,019	48.6	495	1,897	12.7	242
Anderson	20,746	62.8	13,005	6,582	71.2	4,687	6,488	75.3	4,884	7,676	44.7	3,434
Bamberg	4,202	31.6	1,330	802	56.9	457	1,251	38.7	484	2,149	18.1	389
Barnwell	4,780	24.9	1,184	......	....	......	1,753	43.5	762	3,027	14.0	422
Beaufort	4,935	23.7	1,163	865	60.0	519	1,505	22.9	344	2,565	11.7	300
Berkeley	5,779	26.5	1,529	......	....	......	2,127	40.2	854	3,652	18.5	675
Calhoun	3,610	25.5	930	......	....	......	854	46.7	399	2,756	19.3	531
Charleston	31,907	55.1	17,589	20,410	61.9	12,636	8,042	54.0	4,344	3,455	17.6	609
Cherokee	7,248	58.6	4,252	1,960	73.6	1,443	1,919	68.3	1,311	3,369	44.5	1,498
Chester	7,374	50.0	3,693	1,795	67.0	1,202	2,311	73.8	1,706	3,268	24.0	785
Chesterfield	7,601	42.1	3,206	1,141	62.8	716	1,732	53.9	933	4,728	32.9	1,557
Clarendon	6,377	25.7	1,642	......	....	......	1,483	53.2	790	4,894	17.4	852
Colleton	6,145	30.4	1,864	880	63.1	555	1,430	29.0	415	3,835	23.3	894
Darlington	10,269	45.1	4,621	3,103	61.0	1,891	2,426	47.4	1,149	4,740	33.4	1,581
Dillon	6,180	41.3	2,548	978	64.0	626	1,350	48.8	660	3,852	32.8	1,262
Dorchester	4,473	38.0	1,704	820	69.6	571	1,713	37.0	633	1,940	25.8	500
Edgefield	4,035	32.9	1,334	......	....	......	1,345	53.9	725	2,690	22.7	609
Fairfield	5,266	36.9	1,929	829	55.0	456	1,734	55.1	955	2,703	19.2	518
Florence	15,597	47.1	7,351	4,965	64.9	3,223	2,566	53.7	1,378	8,066	34.1	2,750
Georgetown	5,994	36.7	2,198	1,480	60.5	895	2,201	32.9	725	2,313	25.0	578
Greenville	33,813	70.3	23,757	10,347	69.5	7,192	16,377	75.9	12,429	7,089	58.3	4,136
Greenwood	9,474	57.7	5,459	3,369	68.0	2,291	3,300	66.5	2,195	2,805	34.7	973
Hampton	4,106	27.0	1,109	......	....	......	1,773	40.3	714	2,333	16.9	395

SOUTH CAROLINA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Horry	10,831	38.3	4,144	1,206	58.8	709	2,061	44.7	920	7,564	33.2	2,515
Jasper	2,490	27.7	690	......	....	......	1,302	35.7	465	1,188	18.9	225
Kershaw	7,189	37.2	2,649	1,534	58.4	896	1,707	43.1	736	3,948	25.8	1,017
Lancaster	7,360	57.4	4,221	1,143	73.6	841	2,787	67.7	1,888	3,430	43.5	1,492
Laurens	10,106	56.2	5,664	3,275	69.0	2,258	2,264	66.8	1,513	4,567	41.4	1,893
Lee	5,311	28.4	1,506	799	54.5	436	337	39.3	133	4,175	22.4	937
Lexington	8,399	52.7	4,427	749	64.8	486	3,797	63.6	2,413	3,853	39.7	1,528
McCormick	2,271	25.8	585	......	....	......	671	44.8	301	1,600	17.7	284
Marion	6,600	44.1	2,898	2,585	57.1	1,477	935	40.4	378	3,080	33.9	1,043
Marlboro	7,259	35.5	2,579	1,311	62.2	816	1,689	47.1	795	4,259	22.7	968
Newberry	7,960	48.0	3,814	2,768	70.9	1,964	1,448	54.1	783	3,744	28.5	1,067
Oconee	8,080	51.5	4,161	704	62.4	440	2,839	64.3	1,826	4,537	41.8	1,895
Orangeburg	14,651	34.5	5,049	2,947	56.5	1,666	3,440	47.4	1,629	8,264	21.2	1,754
Pickens	8,281	63.1	5,215	1,276	79.6	1,016	3,221	71.8	2,314	2,784	49.8	1,885
Richland	24,210	65.5	15,856	16,288	73.5	11,974	4,563	62.2	2,839	3,359	31.0	1,043
Saluda	3,861	37.0	1,426	53	66.0	35	646	64.4	416	3,162	30.8	975
Spartanburg	29,497	67.6	19,936	9,361	73.3	6,859	11,983	73.6	8,825	8,153	52.1	4,252
Sumter	11,521	38.5	4,437	4,186	60.8	2,543	2,263	40.6	919	5,072	19.2	975
Union	6,908	55.8	3,847	2,198	68.1	1,498	2,470	67.7	1,673	2,240	30.2	676
Williamsburg	8,315	27.4	2,275	843	59.4	500	709	53.1	377	6,763	20.7	1,398
York	13,224	58.4	7,730	6,064	76.9	4,661	2,216	64.7	1,435	4,944	33.1	1,634
State Total	434,968	49.6	215,636	123,503	67.1	82,831	126,119	60.0	75,509	185,346	30.9	57,296

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Charleston	Charleston	20,410	61.9	12,636
Columbia	Richland	15,363	72.4	11,128
Greenville	Greenville	9,708	68.1	6,612
Spartanburg	Spartanburg	8,326	72.5	6,039

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VIRGINIA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Accomack	8,960	57.8	5,184	......	....	......	5,711	63.9	3,651	3,249	47.2	1,533
Albemarle	5,513	50.6	2,789	......	....	......	1,995	53.5	1,067	3,518	48.9	1,722
Alleghany	5,079	74.2	3,764	1,535	88.0	1,351	2,866	71.4	2,046	678	54.1	367
Amelia	1,939	34.0	658	......	....	......	260	50.0	130	1,679	31.5	528
Amherst	4,129	52.2	2,154	......	....	......	1,619	66.5	1,076	2,510	43.0	1,078
Appomattox	2,022	47.8	962	......	....	......	612	64.3	393	1,410	40.4	569
Arlington	15,914	96.5	15,359	15,914	96.5	15,359	......	....	......	......	....	......
Augusta	9,911	71.0	7,029	1,778	82.5	1,467	3,569	69.9	2,495	4,564	67.2	3,067
Bath	1,543	65.0	1,007	......	....	......	668	74.3	497	875	58.3	510
Bedford	1,830	51.5	3,515	1,013	77.4	784	1,513	53.1	803	4,304	44.8	1,928
Bland	1,424	59.5	848	......	....	......	374	71.3	267	1,050	55.3	581
Botetourt	3,697	63.4	2,346	......	....	......	1,681	65.7	1,104	2,016	61.6	1,242
Brunswick	4,082	40.3	1,643	......	....	......	886	67.8	601	3,196	32.6	1,042
Buchanan	6,013	52.5	3,157	......	....	......	3,496	61.3	2,143	2,517	40.3	1,014
Buckingham	2,857	35.7	1,018	......	....	......	724	45.9	333	2,133	32.1	685
Campbell	5,659	57.4	3,248	646	83.6	540	1,935	64.1	1,240	3,078	47.7	1,468
Caroline	3,030	44.1	1,337	......	....	......	742	53.2	395	2,288	41.2	942
Carroll	5,734	50.3	2,887	345	72.7	251	854	61.9	529	4,535	46.5	2,107
Charles City	881	35.9	318	......	....	......	435	26.1	114	446	45.6	204
Charlotte	3,352	35.6	1,193	......	....	......	560	53.1	297	2,792	32.1	896

VIRGINIA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Chesterfield	7,599	77.3	5,870	854	96.4	823	4,731	80.1	3,790	2,014	62.4	1,257
Clarke	1,750	67.8	1,187	......	....	......	984	67.4	663	766	68.4	524
Craig	908	63.8	579	......	....	......	244	73.1	178	664	60.3	401
Culpeper	3,123	58.1	1,814	......	....	......	1,343	67.0	900	1,780	51.3	914
Cumberland	1,631	34.8	570	......	....	......	210	56.0	118	1,421	31.8	452
Dickenson	4,155	55.5	2,308	......	....	......	1,871	64.8	1,213	2,284	47.9	1,095
Dinwiddie	3,095	39.6	1,225	......	....	......	768	48.2	370	2,327	36.8	855
Elizabeth City	5,859	82.0	4,802	923	87.5	807	4,467	82.3	3,677	469	67.8	318
Essex	1,646	42.8	705	......	....	......	496	56.8	282	1,150	36.8	423
Fairfax	8,747	81.2	7,105	670	95.6	641	6,088	82.5	5,022	1,989	72.5	1,442
Fauquier	4,906	57.6	2,827	......	....	......	1,778	64.5	1,147	3,128	53.7	1,680
Floyd	2,823	46.9	1,324	......	....	......	383	55.0	211	2,440	45.6	1,113
Fluvanna	1,657	45.0	746	......	....	......	222	65.3	145	1,435	41.9	601
Franklin	5,537	47.7	2,643	......	....	......	1,190	66.6	793	4,347	42.6	1,850
Frederick	3,423	69.2	2,369	......	....	......	1,456	75.6	1,101	1,967	64.5	1,268
Giles	3,114	66.9	2,084	......	....	......	1,565	75.3	1,179	1,549	58.4	905
Gloucester	2,473	52.0	1,287	......	....	......	869	53.6	466	1,604	51.2	821
Goochland	1,708	41.4	707	......	....	......	183	51.4	94	1,525	40.2	613
Grayson	4,958	57.1	2,829	471	92.0	433	1,258	69.0	868	3,229	47.3	1,528
Greene	1,116	29.3	327	......	....	......	196	33.4	65	920	28.4	262
Greensville	3,128	41.3	1,291	664	77.9	517	843	46.0	388	1,621	23.8	386
Halifax	8,732	41.5	3,617	1,291	68.1	879	1,034	45.3	468	6,407	35.4	2,270
Hanover	4,168	50.2	2,093	......	....	......	1,807	57.3	1,036	2,361	44.8	1,057
Henrico	10,694	85.6	9,148	......	....	......	9,173	88.7	8,134	1,521	66.7	1,014
Henry	5,597	59.6	3,340	......	....	......	3,162	67.5	2,135	2,435	49.5	1,205
Highland	1,085	65.0	705	......	....	......	262	73.0	191	823	62.5	514
Isle of Wight	3,121	40.8	1,271	......	....	......	1,181	51.3	605	1,940	34.3	666
James City	1,060	54.6	579	......	....	......	635	55.0	350	425	54.0	229
King and Queen	1,568	38.6	605	......	....	......	286	39.9	114	1,282	38.3	491
King George	1,259	44.7	563	......	....	......	398	46.2	184	861	44.0	379
King William	1,902	48.6	927	......	....	......	1,038	61.5	638	864	33.5	289
Lancaster	2,182	51.1	1,115	......	....	......	1,387	51.4	697	825	50.7	418
Lee	8,227	50.3	4,134	......	....	......	4,409	58.7	2,588	3,818	40.5	1,546
Loudon	4,840	68.3	3,306	......	....	......	2,194	72.9	1,599	2,646	64.5	1,707
Louisa	3,237	44.0	1,425	......	....	......	641	54.1	347	2,596	41.5	1,078
Lunenburg	3,152	43.0	1,354	......	....	......	839	72.1	605	2,313	32.4	749
Madison	1,870	46.1	862	......	....	......	423	40.7	172	1,447	47.7	690
Mathews	1,918	54.3	1,041	......	....	......	780	47.3	369	1,138	59.0	672
Mecklenburg	6,963	38.5	2,676	......	....	......	1,939	57.5	1,114	5,024	31.1	1,562
Middlesex	1,747	41.5	724	......	....	......	669	46.2	309	1,078	38.5	415
Montgomery	5,002	66.4	3,318	......	....	......	3,059	71.9	2,200	1,943	57.6	1,118
Nansemond	5,143	43.9	2,257	......	....	......	2,529	47.3	1,195	2,614	40.6	1,062
Nelson	3,435	47.6	1,634	......	....	......	1,066	58.3	621	2,369	42.8	1,013
New Kent	945	39.7	376	......	....	......	410	38.7	159	535	40.5	217
Norfolk	8,912	73.0	6,499	......	....	......	7,000	78.1	5,465	1,912	54.1	1,034
Northampton	4,371	56.4	2,468	......	....	......	2,615	63.3	1,656	1,756	46.3	812
Northumberland	2,445	54.9	1,342	......	....	......	994	60.1	597	1,451	51.3	745
Nottoway	3,464	52.5	1,812	663	69.3	460	1,068	68.8	735	1,733	35.6	617
Orange	2,964	56.7	1,681	......	....	......	1,248	61.5	767	1,716	53.3	914
Page	3,513	60.9	2,138	......	....	......	2,119	64.4	1,365	1,394	55.4	773
Patrick	3,523	38.8	1,367	......	....	......	490	52.9	259	3,033	36.5	1,108
Pittsylvania	12,792	53.9	6,891	......	....	......	4,772	69.8	3,331	8,020	44.4	3,560
Powhatan	1,160	43.0	499	......	....	......	198	51.3	102	962	41.3	397
Prince Edward	3,427	45.7	1,556	953	75.6	721	537	49.2	264	1,937	29.5	571
Prince George	2,589	58.6	1,516	......	....	......	1,547	69.9	1,082	1,042	41.7	434
Princess Anne	4,754	65.2	3,098	684	92.0	630	2,380	67.6	1,609	1,690	50.8	859
Prince William	3,158	63.4	2,007	......	....	......	1,908	70.9	1,353	1,250	52.3	654
Pulaski	5,072	69.3	3,510	2,081	80.2	1,669	1,322	66.2	875	1,669	57.9	966
Rappahannock	1,566	40.3	630	......	....	......	390	46.7	182	1,176	38.1	448
Richmond	1,512	48.5	734	......	....	......	481	50.8	245	1,031	47.4	489
Roanoke	10,000	81.7	8,169	2,288	88.3	2,020	5,898	84.4	4,980	1,814	64.4	1,169
Rockbridge	5,231	68.3	3,574	1,092	85.3	931	1,477	65.7	970	2,662	62.8	1,673
Rockingham	7,346	63.8	4,689	......	....	......	2,817	66.4	1,870	4,529	62.2	2,819
Russell	5,430	56.7	3,082	......	....	......	2,181	69.2	1,510	3,249	48.4	1,572
Scott	5,793	47.8	2,769	......	....	......	1,420	65.1	925	4,373	42.2	1,844

VIRGINIA—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Shenandoah	5,275	71.4	3,766	......	....	......	2,589	76.2	1,974	2,686	66.7	1,792
Smyth	5,728	60.2	3,441	1,325	83.7	1,109	2,059	55.7	1,148	2,344	50.5	1,184
Southampton	5,548	41.8	2,319	852	70.2	598	1,550	48.3	748	3,146	30.9	973
Spotsylvania	2,316	59.9	1,389	......	....	......	860	68.7	591	1,456	54.8	798
Stafford	2,119	65.6	1,392	......	....	......	1,012	69.3	701	1,107	62.4	691
Surry	1,495	45.9	686	......	....	......	501	47.0	235	994	45.3	451
Sussex	2,727	35.9	989	......	....	......	914	54.9	502	1,813	26.9	487
Tazewell	8,814	72.5	6,389	1,571	87.6	1,377	5,340	71.1	3,797	1,903	63.8	1,215
Warren	2,651	71.3	1,884	924	82.3	760	827	73.5	608	900	57.3	516
Warwick	2,333	76.3	1,780	......	....	......	1,892	81.2	1,537	441	55.1	243
Washington	8,418	59.3	4,991	876	75.5	661	2,786	67.2	1,873	4,756	51.7	2,457
Westmoreland	2,291	40.5	928	......	....	......	880	52.3	460	1,411	33.2	468
Wise	11,071	62.5	6,932	2,673	74.5	1,993	6,031	62.8	3,790	2,367	48.5	1,149
Wythe	4,944	68.3	3,376	1,119	81.0	907	1,530	65.4	1,001	2,295	64.0	1,468
York	2,108	60.0	1,264	......	....	......	1,650	61.4	1,013	458	54.8	251
Independent Cities												
Alexandria	8,774	92.2	8,092	8,774	92.2	8,092	......	....	......	......	....	......
Bristol	2,356	83.0	1,956	2,356	83.0	1,956	......	....	......	......	....	......
Buena Vista	1,012	75.1	760	1,012	75.1	760	......	....	......	......	....	......
Charlottesville	5,269	79.9	4,209	5,269	79.9	4,209	......	....	......	......	....	......
Clifton Forge	1,628	87.7	1,428	1,628	87.7	1,428	......	....	......	......	....	......
Danville	8,311	72.7	6,041	8,311	72.7	6,041	......	....	......	......	....	......
Fredericksburg	2,594	92.5	2,399	2,594	92.5	2,399	......	....	......	......	....	......
Hampton	1,649	80.0	1,319	1,649	80.0	1,319	......	....	......	......	....	......
Harrisonburg	2,312	87.9	2,032	2,312	87.9	2,032	......	....	......	......	....	......
Hopewell	2,247	86.2	1,936	2,247	86.2	1,936	......	....	......	......	....	......
Lynchburg	11,428	78.9	9,013	11,428	78.9	9,013	......	....	......	......	....	......
Martinsville	2,315	74.2	1,717	2,315	74.2	1,717	......	....	......	......	....	......
Newport News	9,724	79.1	7,691	9,724	79.1	7,691	......	....	......	......	....	......
Norfolk	37,403	83.4	31,197	37,403	83.4	31,197	......	....	......	......	....	......
Petersburg	8,170	71.3	5,823	8,170	71.3	5,823	......	....	......	......	....	......
Portsmouth	13,225	79.9	10,568	13,225	79.9	10,568	......	....	......	......	....	......
Radford	1,701	85.0	1,445	1,701	85.0	1,445	......	....	......	......	....	......
Richmond	50,917	86.5	44,061	50,917	86.5	44,061	......	....	......	......	....	......
Roanoke	17,949	87.5	15,709	17,949	87.5	15,709	......	....	......	......	....	......
South Norfolk	2,038	81.5	1,660	2,038	81.5	1,660	......	....	......	......	....	......
Staunton	2,913	86.5	2,521	2,913	86.5	2,521	......	....	......	......	....	......
Suffolk	2,978	77.3	2,303	2,978	77.3	2,303	......	....	......	......	....	......
Williamsburg	679	86.6	588	679	86.6	588	......	....	......	......	....	......
Winchester	3,308	89.7	2,968	3,308	89.7	2,968	......	....	......	......	....	......
State Total	627,532	67.1	420,978	244,105	84.0	205,024	174,219	67.6	117,801	209,208	46.9	98,153

Cities of 25,000 or More Population

City	County*	Units	% Radio	Radio Units
Alexandria	....	8,774	92.2	8,092
Charlottesville	....	5,269	79.9	4,209
Danville	....	8,311	72.7	6,041
Fredericksburg	....	2,594	92.5	2,399
Lynchburg	....	11,428	78.9	9,013
Martinsville	....	2,315	74.2	1,717
Newport News	....	9,724	79.1	7,691
Norfolk	....	37,403	83.4	31,197
Petersburg	....	8,170	71.3	5,823
Portsmouth	....	13,225	79.9	10,568
Richmond	....	50,917	86.5	44,061
Roanoke	....	17,949	87.5	15,709
Staunton	....	2,913	86.5	2,521
Suffolk	....	2,978	77.3	2,303
Winchester	....	3,308	89.7	2,968

* All are independent cities without county connection.

NAB Research Department July 10, 1942

WASHINGTON

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	1,686	91.8	1,548	......	....	......	981	89.8	881	705	94.6	667
Asotin	2,447	91.5	2,239	990	93.6	927	888	91.5	812	569	87.9	500
Benton	3,329	85.3	2,840	......	....	......	1,426	87.3	1,245	1,903	83.8	1,595
Chelan	10,303	89.6	9,230	3,646	92.2	3,361	3,733	88.6	3,309	2,924	87.6	2,560
Clallam	6,488	85.8	5,569	2,910	91.7	2,667	2,193	81.9	1,796	1,385	79.8	1,106
Clark	14,617	92.3	13,490	6,806	94.9	6,456	3,098	90.1	2,791	4,713	90.0	4,243
Columbia	1,623	89.5	1,453	900	90.8	818	171	84.9	145	552	88.7	490
Cowlitz	11,678	90.5	10,564	5,816	94.8	5,515	3,767	88.8	3,344	2,095	81.4	1,705
Douglas	2,539	89.3	2,268	......	....	......	1,098	91.1	1,000	1,441	88.0	1,268
Ferry	1,397	72.6	1,014	......	....	......	772	77.4	597	625	66.7	417
Franklin	1,845	85.9	1,584	1,199	86.9	1,041	247	83.6	207	399	84.2	336
Garfield	985	91.1	896	......	....	......	579	93.2	538	406	88.1	358
Grant	4,719	84.5	3,988	1,284	82.5	1,059	2,759	86.0	2,371	676	82.5	558
Grays Harbor	16,572	86.7	14,372	9,578	90.3	8,648	4,843	81.9	3,965	2,151	81.8	1,759
Island	2,018	86.1	1,737	......	....	......	888	87.3	775	1,130	85.2	962
Jefferson	2,556	84.7	2,165	1,202	92.8	1,115	819	76.9	630	535	78.5	420
King	169,125	92.5	156,460	130,866	92.1	120,534	31,548	94.3	29,739	6,711	92.2	6,187
Kitsap	13,992	93.3	13,048	4,931	96.9	4,776	5,994	92.3	5,531	3,067	89.4	2,741
Kittitas	5,814	87.3	5,075	1,748	91.5	1,599	2,525	85.4	2,158	1,541	85.5	1,318
Klickitat	3,370	79.5	2,677	......	....	......	2,049	84.2	1,726	1,321	72.0	951
Lewis	12,260	86.7	10,635	4,037	93.7	3,781	3,905	83.9	3,278	4,318	82.8	3,576
Lincoln	3,278	90.7	2,975	......	....	......	1,895	90.3	1,712	1,383	91.3	1,263
Mason	3,616	83.7	3,028	1,137	94.4	1,073	1,574	81.3	1,280	905	74.6	675
Okanogan	6,893	79.9	5,509	800	88.7	709	3,290	82.1	2,700	2,803	74.9	2,100
Pacific	4,905	85.1	4,176	1,270	89.3	1,134	2,876	83.9	2,412	759	83.0	630
Pend Oreille	2,091	77.2	1,615	......	....	......	1,361	83.0	1,130	730	66.4	485
Pierce	54,711	93.1	50,924	38,584	93.9	36,216	10,280	92.1	9,465	5,847	89.7	5,243
San Juan	1,035	84.6	875	......	....	......	467	84.3	394	568	84.8	481
Skagit	16,098	89.9	9,980	4,268	93.9	4,006	3,292	86.2	2,837	3,538	88.7	3,137
Skamania	1,409	82.7	1,164	......	....	......	1,168	83.8	979	241	76.8	185
Snohomish	27,426	91.0	24,947	10,580	92.9	9,825	10,027	90.1	9,036	6,819	89.3	6,086
Spokane	49,863	91.8	45,791	38,918	93.0	36,209	5,417	90.6	4,909	5,528	84.5	4,673
Stevens	5,537	78.0	4,318	......	....	......	2,613	82.7	2,162	2,924	73.7	2,156
Thurston	11,584	91.2	10,569	4,344	95.0	4,126	4,161	90.1	3,750	3,079	87.5	2,693
Wahkiakum	1,215	86.9	1,055	......	....	......	719	86.4	621	496	87.6	434
Walla Walla	8,449	90.5	7,647	4,936	93.3	4,604	1,893	87.2	1,651	1,620	86.0	1,392
Whatcom	18,481	92.3	17,062	9,529	93.6	8,919	3,851	91.0	3,504	3,101	90.9	4,639
Whitman	7,888	92.7	7,310	2,309	95.8	2,211	2,693	91.0	2,449	2,886	91.8	2,650
Yakima	28,495	87.3	24,887	9,620	91.5	8,807	9,813	86.7	8,510	9,062	83.5	7,570
State Total	537,337	90.6	486,684	302,208	92.7	280,136	141,673	89.2	126,339	93,456	85.8	80,209

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Bellingham	Whatcom	9,529	93.6	8,919
Everett	Snohomish	9,661	92.8	8,963
Seattle	King	126,354	92.0	116,243
Spokane	Spokane	38,918	93.0	36,209
Tacoma	Pierce	36,086	93.9	33,869
Yakima	Yakima	8,535	92.4	7,889

NAB Research Department July 9, 1942

WISCONSIN

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	2,283	75.4	1,722	......	....	......	718	82.0	589	1,565	72.4	1,133
Ashland	5,528	86.2	4,762	2,931	93.3	2,735	1,215	81.8	994	1,382	74.8	1,033
Barron	8,822	86.5	7,627	1,594	92.6	1,476	2,663	88.8	2,366	4,565	82.9	3,785
Bayfield	4,226	79.7	3,370	......	....	......	2,075	85.0	1,763	2,151	74.7	1,607
Brown	20,506	93.7	19,223	13,732	96.1	13,197	3,364	91.3	3,073	3,410	86.6	2,953

WISCONSIN—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Buffalo	4,124	83.7	3,452	......	....	......	1,876	83.7	1,570	2,248	83.7	1,882
Burnett	3,078	81.7	2,513	......	....	......	981	83.0	814	2,097	81.0	1,699
Calumet	4,382	91.1	3,990	......	....	......	2,245	92.3	2,071	2,137	89.8	1,919
Chippewa	9,595	85.5	8,206	2,834	93.8	2,660	2,586	87.0	2,249	4,175	79.0	3,297
Clark	8,600	80.7	6,942	770	85.3	657	2,236	87.3	1,953	5,594	77.4	4,332
Columbia	8,923	90.2	8,051	2,903	94.3	2,737	2,727	90.2	2,460	3,293	86.7	2,854
Crawford	4,556	83.3	3,794	1,276	88.4	1,128	1,170	78.5	918	2,110	82.9	1,748
Dane	35,372	95.5	33,787	20,656	97.8	20,197	8,272	94.3	7,799	6,444	89.9	5,791
Dodge	13,918	92.6	12,886	5,419	94.9	5,144	3,608	92.2	3,327	4,891	90.3	4,415
Door	4,963	87.7	4,349	1,518	95.5	1,449	1,133	86.0	975	2,312	83.3	1,925
Douglas	12,862	90.1	11,595	9,644	95.1	9,171	1,088	73.8	803	2,130	76.1	1,621
Dunn	7,036	86.5	6,086	1,968	93.3	1,837	1,354	85.7	1,161	3,714	83.1	3,088
Eau Claire	12,578	90.2	11,342	8,515	95.2	8,106	1,684	84.1	1,416	2,379	76.5	1,820
Florence	1,088	80.7	878	......	....	......	602	85.8	517	486	74.4	361
Fond du Lac	16,362	93.3	15,265	9,450	96.1	9,079	2,709	91.8	2,486	4,203	88.0	3,700
Forest	2,700	79.2	2,139	......	....	......	1,919	82.9	1,591	781	70.1	548
Grant	10,847	86.1	9,337	2,390	91.0	2,174	3,986	83.7	3,336	4,471	85.6	3,827
Green	6,477	90.6	5,870	1,864	93.7	1,746	1,965	89.6	1,760	2,648	89.3	2,364
Green Lake	3,998	87.6	3,503	1,257	88.8	1,116	1,243	88.1	1,095	1,498	86.3	1,292
Iowa	5,438	85.4	4,642	......	....	......	2,803	85.4	2,394	2,635	85.3	2,248
Iron	2,584	86.4	2,234	826	93.0	768	1,121	87.0	976	637	76.9	490
Jackson	4,288	79.9	3,430	730	93.4	682	1,154	75.9	876	2,404	77.9	1,872
Jefferson	10,803	93.3	10,077	5,185	96.6	5,007	2,270	92.5	2,100	3,348	88.7	2,970
Juneau	4,938	79.1	3,908	754	88.7	669	1,866	82.1	1,532	2,318	73.6	1,707
Kenosha	16,764	97.2	16,303	12,960	97.7	12,666	2,073	96.5	2,001	1,731	94.5	1,636
Kewaunee	4,261	88.5	3,772	1,485	95.4	1,417	620	83.8	519	2,156	85.2	1,836
LaCrosse	15,851	93.3	14,781	11,788	95.5	11,252	2,285	87.4	1,997	1,778	86.2	1,532
Lafayette	4,876	87.2	4,253	......	....	......	2,439	86.1	2,101	2,437	88.3	2,152
Langlade	5,634	87.6	4,935	2,495	94.7	2,363	1,083	80.7	874	2,056	82.6	1,698
Lincoln	5,778	83.7	4,842	3,291	92.2	3,034	427	75.4	322	2,060	72.1	1,486
Manitowoc	15,846	94.3	14,947	9,306	97.7	9,091	2,572	90.1	2,316	3,968	89.2	3,540
Marathon	18,094	86.9	15,735	7,236	96.3	6,967	3,731	88.5	3,300	7,127	76.7	5,468
Marinette	9,143	86.7	7,931	3,796	94.5	3,587	2,280	90.6	2,066	3,067	74.3	2,278
Marquette	2,530	81.5	2,062	......	....	......	1,173	86.0	1,008	1,357	77.7	1,054
Milwaukee	209,682	97.4	204,239	195,419	97.4	190,366	12,125	97.7	11,847	2,138	94.8	2,026
Monroe	7,512	80.9	6,076	2,651	88.7	2,350	1,225	77.8	953	3,636	76.3	2,773
Oconto	6,593	85.4	5,634	1,448	94.7	1,371	1,834	87.4	1,603	3,311	80.3	2,660
Oneida	5,059	84.9	4,297	2,295	93.4	2,143	1,852	78.7	1,457	912	76.4	697
Outagamie	17,519	94.1	16,483	11,242	97.0	10,902	2,634	88.3	2,325	3,643	89.4	3,256
Ozaukee	5,002	94.2	4,712	1,103	96.3	1,063	2,224	94.5	2,102	1,675	92.3	1,547
Pepin	1,987	82.4	1,638	......	....	......	928	87.5	812	1,059	78.0	826
Pierce	5,788	85.9	4,974	768	92.2	708	1,807	86.1	1,555	3,213	84.4	2,711
Polk	6,806	86.2	5,869	......	....	......	2,401	90.1	2,164	4,405	84.1	3,705
Portage	8,386	84.9	7,120	3,880	93.5	3,627	1,390	84.3	1,172	3,116	74.5	2,321
Price	4,770	77.0	3,671	822	94.5	777	1,366	80.6	1,100	2,582	69.5	1,794
Racine	24,992	97.2	24,291	19,565	98.0	19,170	3,167	95.1	3,013	2,260	93.3	2,108
Richland	5,280	84.6	4,469	1,302	91.8	1,196	1,175	78.8	926	2,803	83.7	2,347
Rock	22,452	94.4	21,200	14,797	96.1	14,215	3,609	93.4	3,371	4,046	89.3	3,614
Rusk	4,416	80.9	3,572	985	94.5	930	732	85.8	628	2,699	74.6	2,014
St. Croix	6,349	90.7	5,758	963	96.6	930	2,176	92.0	2,002	3,210	88.0	2,826
Sauk	9,125	86.8	7,922	3,030	93.6	2,837	2,433	86.4	2,102	3,662	81.4	2,983
Sawyer	2,910	75.3	2,192	......	....	......	1,562	77.4	1,210	1,348	72.9	982
Shawano	8,551	84.0	7,183	1,495	94.8	1,418	2,913	83.0	2,418	4,143	80.8	3,347
Sheboygan	20,558	95.2	19,576	13,278	96.9	12,862	3,479	94.7	3,294	3,801	90.0	3,420
Taylor	4,928	75.1	3,699	......	....	......	1,440	86.7	1,249	3,488	70.2	2,450
Trempealeau	6,196	82.7	5,124	......	....	......	2,827	84.0	2,375	3,369	81.6	2,749
Vernon	7,767	81.7	6,346	1,065	91.6	975	2,265	77.8	1,762	4,437	81.3	3,609
Vilas	2,356	79.2	1,866	......	....	......	1,814	79.5	1,442	542	78.2	424
Walworth	9,489	94.2	8,942	3,215	95.2	3,060	3,291	94.2	3,100	2,983	93.3	2,782
Washburn	3,341	81.8	2,732	712	91.3	650	924	81.2	750	1,705	78.1	1,332

WISCONSIN—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Washington	7,417	92.4	6,852	2,671	96.6	2,581	1,867	91.6	1,711	2,879	88.9	2,560
Waukesha	16,413	95.9	15,747	6,260	97.1	6,077	6,137	96.3	5,911	4,016	93.6	3,759
Waupaca	9,085	87.6	7,961	3,236	93.9	3,040	2,094	86.8	1,817	3,755	82.7	3,104
Waushara	3,911	81.1	3,173	7	85.7	6	1,580	87.4	1,381	2,324	76.8	1,786
Winnebago	21,742	94.7	20,590	16,743	96.0	16,066	2,225	92.5	2,058	2,774	88.9	2,466
Wood	11,173	89.5	10,000	5,706	94.3	5,381	2,277	91.2	2,076	3,190	79.7	2,543
State Total	827,207	91.7	758,449	463,231	96.5	446,813	161,089	88.9	143,151	202,887	83.0	168,482

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Appleton	Outagamie	7,786	97.1	7,563
Beloit	Rock	7,383	95.5	7,051
Eau Claire	Eau Claire	8,515	95.2	8,106
Fond du Lac	Fond du Lac	7,505	96.5	7,239
Green Bay	Brown	12,144	96.4	11,704
Kenosha	Kenosha	12,960	97.7	12,666
La Crosse	La Crosse	11,788	95.5	11,252
Madison	Dane	19,221	98.0	18,842
Milwaukee	Milwaukee	164,335	97.2	159,670
Oshkosh	Winnebago	11,075	95.0	10,520
Racine	Racine	18,306	98.0	17,944
Sheboygan	Sheboygan	11,092	97.0	10,757
Superior	Douglas	9,644	95.1	9,171
Wausau	Marathon	7,236	96.3	6,967
Wauwatosa	Milwaukee	7,211	99.4	7,170
West Allis	Milwaukee	9,570	98.6	9,437

NAB Research Department — July 13, 1942

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 20. They are subject to change.

Monday, July 20

KITE—First National Television, Inc., Kansas City, Mo.—Renewal of license, **1590 kc.,** 1 KW, unlimited.

Tuesday, July 21

WROL—S. E. Adcock, d/b as Stuart Broadcasting Company, Knoxville, Tenn.—C. P., **620 kc.,** 1 KW, unlimited, DA-night.

Wednesday, July 22

Consolidated Hearing

WGRC—Northside Broadcasting Corp., New Albany, Ind.—C. P., **790 kc.,** 1 KW night, 5 KW day, DA-night, unlimited.

WKPT—Kingsport Broadcasting Company, Inc., Kingsport, Tenn. —C. P., **790 kc.,** 1 KW, DA-night, unlimited.

Thursday, July 23

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WGEO—General Electric Co., Schenectady, N. Y.—Granted modification of license (B1-MLIB-53), to add the frequencies **7000** and **11847.5 kc.,** sharing time with WGEA on both.

WGEA—General Electric Co., Schenectady, N. Y.—Granted modification of license (B1-MLIB-52) to add frequencies **7000** and **11847.5,** sharing time with WGEO on both.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted motion to dismiss petition for rehearing directed against the action of the Commission on July 29, 1941, granting without hearing the application of Trent Broadcasting Corp. for a new station in Trenton, N. J., and dismissed said petition of WTNJ.

W69PH—WCAU Broadcasting Co., Philadelphia, Pa.—Granted application (B2-PH-127) for new FM station, which is in effect reinstatement of construction permit (B2-MPH-14); **46900 kc.,** 9,300 square miles.

First Baptist Church, Pontiac, Mich.—Granted extension of authority to transmit programs to Station CKLW, Canada (B2-FP-99).

DESIGNATED FOR HEARING

WOV—Arde Bulova and Harry D. Henshel (Transferors), Murray Mester and Meyer Mester (Transferees), WODAAM Corporation (Licensee), New York, N. Y.—Designated for hearing application (B1-TC-300) for transfer of control of Wodaam Corp., licensee of WOV, from Arde Bulova and Harry D. Henshell, transferors to Murray Mester and Meyer Mester, transferees.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Designated for hearing construction permit (B4-P-3459) to install a new transmitter.

WINK—Mid-American Broadcasting Corp., Louisville, Ky.—Designated for hearing modification (B2-MP-1589) of construction permit (B2P-2760) for extension of commencement and completion dates.

KROW—Educational Broadcasting Corp., Oakland, Cal.—Designated for hearing application (B5-MP-1510) for modification of construction permit for extension of commencement and completion dates.

WKBH—WKBH, Inc., La Crosse, Wisc.—Designated for hearing application for modification of construction permit (B4-MP-1502), requesting extension of completion date.

LICENSE RENEWALS

The following stations were granted renewal of licenses on a regular basis for the period ending December 1, 1942:

KCMO, Kansas City, Mo.; KGIR, Butte, Mont.; KINY, Juneau, Alaska; KLRA, Little Rock, Ark.; KQV, Pittsburgh, Pa.; KXYZ, Houston, Texas; WAGA, Atlanta; WAKR, Akron, Ohio; WBCM, Bay City, Mich.; WBIG, Greensboro, N. C.; WBNS and auxiliary, Columbus, Ohio; WCSC, Charleston, S. C.; WSAN, Allentown, Pa.; WHK, Cleveland, Ohio; WFEA and auxiliary, Manchester, N. H.; WPAB, Ponce, Puerto Rico; WBRY, Waterbury, Conn.; WCBA, Allentown, Pa.; WGAR and auxiliary, Cleveland, Ohio; KUJ, Walla Walla, Wash.; WAWZ, Zeraphath, N. J.; WFBL, Syracuse, N. Y.

The following stations were granted renewals on a regular basis for the period ending October 1, 1944:

KALE, Portland, Ore.; KFAC, Los Angeles; KGHF, Pueblo, Colo.; KFH, Wichita, Kans.; KMO and auxiliary, Tacoma, Wash.; KRIS, Corpus Christi, Texas; WDRC, Hartford, Conn.; WFBC, Greenville, S. C.; KRNT, Des Moines, Iowa; WBBR, Brooklyn, N. Y.; WHAZ, Troy, N. Y.

In the following cases renewals were granted on a regular basis for the period ending August 1, 1944:

KARK, Little Rock, Ark.; KLX, Oakland, Calif.; KPRC, Houston, Texas; WBAA, West Lafayette, Ind.; WBBB, Burlington, N. C.; WJAX, Jacksonville, Fla.; WQAN and auxiliary, Scranton, Pa.; WRRF, Washington, N. C.; WPAT, Paterson, N. J.; WRNL and auxiliary, Richmond, Va.; WFDF and auxiliary, Flint, Mich.; WGBI and auxiliary, Scranton, Pa.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1942:

KBWD, Brownwood, Texas; KDFN, Casper, Wyo.; KGCX, Wolf Point, Mont.; KLO, Ogden, Utah; KLPM, Minot, N. Dak.; WAAB and auxiliary, Boston; WALB, Albany, Ga.; WIRE and auxiliary, Indianapolis, Ind.; WJHL, Johnson City, Tenn.; WKY and auxiliary, Oklahoma City, Okla.; WQBC, Vicksburg, Miss.; WTAQ, Green Bay, Wisc.; WWSR, St. Albans, Vt.

KCRC—Enid Radiophone Co., Enid, Okla.—Present licenses extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1942.

MISCELLANEOUS

Columbia Broadcasting System, Inc., Boston, Mass.—Granted motion to dismiss without prejudice application for construction permit for new high frequency station. (Docket 6024)

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted petition to dismiss without prejudice application for construction permit to operate on **580 kc.,** 1 KW, directional antenna night, unlimited time. (Docket 6130)

W9XZY—The Pulitzer Publishing Co., St. Louis, Mo.—Granted petition to dismiss application for renewal of license. (Docket 6326)

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Denied petition for intervention in re application of The Geotechnical Corporation, Dallas, Tex., for construction permit for 6 portable mobile stations. (Docket 6323)

KFVS—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Granted construction permit to make changes in transmitting equipment (B4-P-3503).

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Granted modification of construction permit as modified, which authorized change in frequency, increase in power, move of transmitter, and install new transmitter and directional antenna for day and night use, for extension of completion date from July 19 to September 19, 1942 (B4-MP-1593).

KUTA—Utah Broadcasting Co., Salt Lake City, Utah.—Granted license to cover construction permit as modified, to install new transmitter and directional antenna for day and night use, increase power, and move transmitter; also granted authority to determine operating power by direct measurement of antenna power (B5-L-1680; B5-Z-1416).

WSIX—WSIX, Inc., Nashville, Tenn.—Granted license to cover construction permit as modified, to install new transmitter and directional antenna for night use, increase power, change frequency and move transmitter; granted authority to determine operating power by direct measurement of antenna power (B3-L-1679; B3-Z-1415).

WEAN—The Yankee Network, Inc., Providence, R. I.—Granted license to cover construction permit as modified, for increase in night power, and changes in directional antenna for day and night use; granted authority to determine operating power by direct measurement of antenna power (B1-L-1654; B1-Z-1386).

WNYD—City of New York, Municipal Broadcasting System, Portable-Mobile, area of New York, N. Y.—Granted construction permit for new relay broadcast station, requesting reinstatement of construction permit which expired (B1-PRY-279).

WNYC—City of New York, Municipal Broadcasting System, Portable-Mobile, area of New York, N. Y.—Granted construction permit for new relay broadcast station, requesting reinstatement of construction permit which expired (B1-PRY-280).

W49BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Granted modification of construction permit as modified which authorized a new high frequency broadcast station, for change in type of transmitter, changes in antenna system, and extension of completion date from July 13, 1942 to 60 days after grant hereof. (B1-MPH-108)

WLIB—Arthur Faske, Brooklyn, N. Y.—Granted license to cover construction permit as modified, for new transmitter, change in frequency, increase in power and change in hours of operation; granted authority to determine operating power by direct measurement of antenna power. (B1-L-1666; B1-Z-1399)

W2XCB—Columbia Broadcasting System, Inc., Portable Mobile, area of New York, N. Y.—Granted modification of construction permit as modified, which authorized new television relay broadcast station, for extension of completion date from July 7, 1942, to January 7, 1943. (B1-MPVB-83)

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Granted motion to continue hearing set for July 7, 1942, in re application for a construction permit to increase night power and make changes in its directional antenna; hearing continued until August 6, 1942. (Docket No. 6267)

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah—Granted construction permit to make changes in transmitting equipment. (B5-P-3502)

W9XMB—The Moody Bible Institute of Chicago, Chicago, Ill.—Granted modification of construction permit which authorized new ST broadcast station, for extension of completion date from May 16, 1942, to November 16, 1942. (B4-MPST-8)

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Denied petition of WSAN insofar as it requests grant of its application (B2-MP-1495) for modification of construction permit to make changes in equipment and directive antenna system; denied joint petitions of WSAR (B1-P-3278) for grant of its application for construction permit to change directional antenna system and change in frequency, and of WHOM (B1-P-3312) for grant of its application for construction permit to install new transmitter, directive antenna system, move studio to New York City and increase power; designated said applications for hearing, and granted application of WSAN (B2-MP-1556) for extension of completion date.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Denied petition for grant of construction permit (B2-P-3254) to install new transmitter and directional antenna for both day and night use, change operating assignment and increase power; and retained said application on hearing docket.

J. C. Kaynor, Ellensburg, Wash.—Denied petition requesting grant of application (B5-P-2836) for a new station to operate on **1340 kc.,** with 250 watts power, unlimited time, and ordered application designated for further hearing.

Sacandaga Broadcasting Corp., Gloversville, N. Y.—Denied petition for grant of application (B1-P-3404) for a new station to operate on **1340 kc.,** with 250 watts power, unlimited time, and retained said application on hearing docket.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Denied petition for grant of application (B2-P-3403, Docket 6303), for a new station, and retained said application on hearing docket.

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah—Denied petitions (1) for grant of application (Docket 4361) and (2) that application be kept pending for the duration, and ordered application heard upon issues as contained in Memorandum Opinion of April 27, 1942.

KFPL—C. C. Baxter, Dublin, Texas—Canceled existing license of station, deleted call letters and closed the records of the Commission in regard to this station, necessitated by licensee's request because of shortage of operators and equipment.

WRAL—Capitol Broadcasting Co., Raleigh, N. C.—Dismissed petition for rehearing directed against the action of the Administrative Board on May 18, 1942, granting the application of WJW, Inc., Akron, Ohio, for modification of construction permit (B2-MP-1563).

Proposed Wilkes-Barre, Pa., Broadcast Grant

The Commission announced proposed grant of a construction permit to Northeastern Pennsylvania Broadcasters, Inc., for a new local station to operate on 1240 kilocycles, with 100 watts power (B-153). Mutually exclusive applications by Wilkes-Barre Broadcasting Corporation, Central Broadcasting Company and Key Broadcasters, Inc. for the same facilities were denied. The frequency 1240 kilocycles is now being used by station WBAX, which has been operating under a temporary license since the Commission denied application for renewal on March 31, 1941.

Renewal of License

The Commission announced the proposed grant of renewal of license for the Federated Publications, Inc., Station WELL, Battle Creek, Mich., to operate on 1420 kilocycles with power of 250 watts, unlimited time (B-156).

The renewal of license application for station WELL was set for hearing to examine the type of management contracts entered into by the station. In its Proposed Findings of Fact and Conclusions the Commission states: "We are satisfied, however, that the contracts of 1932, 1934 and 1938 were not observed in practice and that they were not intended to delegate the licensee's responsibilities to the station manager. Control of the station has always remained in the licensee."

Liner's Broadcasting Station, Inc., KMLB

The Commission announced proposed denial of the application of Liner's Broadcasting Station, Inc., (KMLB), Monroe, La., for change in operating assignment from 1200 kilocycles, 250 watts, unlimited time, to 1440 kilocycles, 1 kilowatt, unlimited time, employing directional antenna at night. (B-149)

Petition—Butler Broadcasting Corp.

The Commission denied the petition of Butler Broadcasting Corporation, Hamilton, Ohio, filed pursuant to the Commission's Memorandum Opinion of April 27, 1942, and set for further hearing application for construction permit for new station. (Docket No. 5985-B-144)

Findings of Fact and Final Order—P-23

The Commission entered an order affirming its action of September 23, 1941, suspending the restricted radiotelephone operator permit of John Franklin Norris, Columbiana, Alabama, for the remainder of the license term, because of alleged violations of Sections 301 and 318 of the Communications Act. (P. 23)

The Evening News Press, Inc., Port Angeles, Wash.—Granted petition to dismiss without prejudice application (B5-P-1933) for new station.

WOPI—Radiophone Broadcasting Station, Inc., Bristol, Tenn.—Granted petition to dismiss without prejudice application (B3-P-3438) for construction permit.

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Granted petition to dismiss without prejudice application (B5-P-3483) for construction permit.

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Granted motion to continue hearing now scheduled for July 21 to August 20, on application for construction permit.

John D. Ewing, New Orleans, La.—Granted motion to dismiss application (B3-P-3373) for new station.

Associated Broadcasters, Inc., Indianapolis, Ind.—Granted motion to dismiss without prejudice application (B4-P-3294) for new station.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of construction permit (B5-P-2783 as modified), which authorized new equipment and increase in power requesting changes in equipment and extension commencement and completion dates.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WNCU, to be operated on **31220, 35620, 37020, 39260 kc.,** 25 watts, A1, A2, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WEJT, to be operated on **31220, 35620, 37020, 39260 kc.,** 2 watts, A3 Emission.

NEW—Blue Network Co., Inc., Washington, D. C.—License for new relay broadcast station using equipment of WEJC, to be operated on **31220, 35620, 37020, 39260 kc.,** 100 watts, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WEJS, to be operated on **31220, 35620, 37020, 39260 kc.,** 2 watts, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WEJE, to be operated on **31220, 35620, 37020, 39260 kc.,** 0.25 watts, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WEJD, to be operated on **31220, 35620, 37020, 39260 kc.,** 0.25 watts, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WNTJ, to be operated on **31220, 35620, 37020, 39260 kc.,** 25 watts, A3 Emission.

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Westcoast Broadcasting Co., Wenatchee, Wash.—Authority to determine operating power by direct measurement of antenna power on special service authorization.

790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Voluntary assignment of license to William J. Wagner, trading as Alaska Broadcasting Company.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Construction permit to install new transmitter and increase power from 250 watts to 1 KW.

WWNY—The Brockway Company, Watertown, N. Y.—Modification of construction permit (B1-P-3265), which authorized change in frequency, increase in power, change hours of operation, move transmitter and install directional antenna requesting extension of completion date from 8-16-42 to 10-16-42.

910 Kilocycles

WSUI—The State University of Iowa, Iowa City, Iowa.—License to cover construction permit (B4-P-2970) for increase in power and changes in directional antenna for day and night use.

WSUI—The State University of Iowa, Iowa City, Iowa.—Authority to determine operating power by direct method.

1000 Kilocycles

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Modification of construction permit (B5-P-1281), which authorized increase in power, new transmitter, directional antenna for night use and move of transmitter requesting approval of directional antenna and transmitter site.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758 as modified), which authorized increase in power, installation of new transmitter and directional antenna for day and night use for extension of completion date from 7-20-42 to 9-19-42.

1170 Kilocycles

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Modification of construction permit (B2-P-2540 as modified), which authorized increase in power, change in hours of operation, move of transmitter, installation of new transmitter, and directional antenna for night use for extension of completion date from 8-6-42 to 11-4-42.

1340 Kilocycles

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wisc.—License to cover construction permit (B4-P-3473) for installation of new transmitter.

1400 Kilocycles

KTTS—Independent Broadcasting Co., Springfield, Mo.—Acquisition of control of licensee corporation by J. H. G. Cooper, through purchase of 4% of stock from minority stockholder.

1490 Kilocycles

WMRC—Textile Broadcasting Co., Greenville, S. Car.—Authority to make changes in automatic frequency control equipment.

KOVC—KOVC, Inc., Valley City, N. Dak.—Authority to determine operating power by direct method.

1520 Kilocycles

WHIP—Hammond Calumet Broadcasting Corp., Hammond, Ind.—Modification of construction permit (B4-P-1604 as modified), which authorized change in hours of operation and changes in directional antenna requesting further changes in directional antenna.

FM APPLICATION

K5IL—St. Louis University, St. Louis, Mo.—Modification of construction permit (B4-PH-37 as modified) which authorized construction of new high frequency broadcast station requesting extension of completion date from 8-4-42 to 2-4-43.

TELEVISION APPLICATION

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kansas—Modification of construction permit (B4-PVB-25 as modified) which authorized construction of new television station requesting extension of completion date from 7-15-42 to 1-15-43.

MISCELLANEOUS APPLICATIONS

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WNBU to be operated on **1606, 2074, 2102, 2758 kc.,** 25 watts, A1, A2, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of Washington, D. C.—License for new relay broadcast station using equipment of WNBR to be operated on **1606, 2074, 2102, 2758 kc.,** 25 watts, A1, A2, A3 Emission.

NEW—Blue Network Co., Inc., Portable-Mobile, area of San Francisco, Calif.—Construction Permit for new relay broadcast station to be operated on **31220, 35620, 37020** and **39260 kc.,** power of 100 watts, A3 Emission.

NEW—Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to CKLW, stations owned and operated by the Canadian Broadcasting Corp. and stations licensed by the Canadian Minister of Transport for the period beginning 9-1-42.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Gallant Trading Co., 1111 South Hill St., Los Angeles, with a branch or warehouse storage room located at 1619 South Vermont St., Los Angeles, engaged in the sale of general merchandise, including clothing, shoes, blankets, mattresses, tarpaulins, and other commodities, are charged in a complaint with misrepresentation. (4780)

Cuneo Press, Inc., et al—A complaint has been issued against four corporations and an individual allegedly associated in a cooperative arrangement to deceive American manufacturers in connection with the sale of advertising matter known as "manufacturers' displays," for use in export catalogs. The respondents, charged with unfair and deceptive acts and practices in violation of the Federal Trade Commission Act, are:

Cuneo Press, Inc., West Cermak Rd. at South Canal St., Chicago, and its subsidiary, Neo Gravure Printing Co., Inc., 601 West 26th St., New York; Eggers & Heinlein, Inc., 44 Whitehall St., and Middleton & Co., Ltd., 80 Broad St., New York, export commission merchants; and Marcus A. Crews, trading as M. A. Crews Co. and as Pioneer Exporters, Lawrenceburg, Tenn., associated with the other respondents in the sale of manufacturers' displays. (4781)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

E. Ingraham Co., Bristol, Conn., and The New Haven Clock Co., New Haven, Conn., watch manufacturers, entered into stipulations to cease and desist from distributing to jobbers, retailers, or others any repaired or second-hand watches unless in invoices and by means of labels or tags attached to such watches, it is clearly indicated that they are rebuilt or second-hand. Reconditioned or repaired watches have been delivered to jobbers and merchants by the respondent corporations without marking or labeling to indicate that they are other than new watches, according to the stipulations, and it is a common practice for merchants to sell them as new goods. (3506-3509)

Pelman Institute of America, Inc., New Rochelle, N. Y., entered into a stipulation to cease and desist from misrepresentations which have the capacity to deceive the public as to the character, quality, value or scope of the correspondence courses of instruction it sells, including one designated "Pelman Institute's Complete Course of Correspondence Instruction in Scientific Mind Training." (3507)

Random House, Inc., 20 East 57th St., New York, engaged in publishing books under the trade name Modern Library, has entered into a stipulation to cease and desist from the use of the words "complete and unabridged" as descriptive of those of its publications, or reprints thereof, which are not full and exact transcripts of the named author's works. (3504)

United States Bronze Sign Co., Inc., 570 Broadway, New York, and its wholly-owned subsidiary, Bronze Tablet Foundry, Inc., stipulated that they will cease and desist from certain representations in connection with the sale of bronze tablets. (3505)

Siegmund Werner, Inc., 36 West 24th St., New York, distributor of skiing equipment, has entered into a stipulation to discontinue representing by statements such as "We manufacture what we sell" that it owns or controls a skiing equipment factory or that the equipment sold by it comes direct from manufacturer to purchaser, unless such are the facts. (3508)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bible Institute, Inc., The Bible Institute, American Plate Glass Co., and H. W. Lederer, individually and as president of the three corporations, all with principal offices at 224 West 34th Street, New York, have been ordered to cease and desist from deceptive acts and practices in promoting the sale and distribution of Bibles and other religious publications and hand-bag mirrors. (4687)

Harry M. Bitterman, Inc., et al.—Cease and desist orders have been issued in six cases affecting resident buyers and manufacturers and wholesalers of fur garments, millinery and women's ready-to-wear apparel, all located in New York City, as a result of their having violated Section 2 (c), the brokerage section, of the Robinson-Patman Antidiscrimination Act.

The orders are directed against the following respondent resident buyers, engaged in purchasing merchandise for retail dealers located principally in States other than New York:

Harry M. Bitterman, Inc., 370 Seventh Ave.; Harry M. Bitterman, individually and as president and as one of the directors of Harry M. Bitterman, Inc.; and Irving Dash, office manager of Harry M. Bitterman, Inc.; fur garments (4229).

Isaac S. Dickler, 370 Seventh Ave.; fur garments (4231).

David M. Weiss, 370 Seventh Ave.; fur garments (4240).

Jack, Michael, George and Louis Herzog, trading as Jack Herzog & Co., 337 Seventh Ave.; fur garments (4257).

Central Buying Service, Inc., 101 West 37th St., millinery (4259).

Lawrence W. Powers, trading as L. W. Powers Co., 1328 Broadway; women's ready-to-wear apparel (4299).

Climax Cleaner Mfg. Co., 2080 W. 110th St., Cleveland, has been ordered to cease and desist from representing in any manner that Climax Wall Paper Cleaner will not crumble when used for cleaning all types of wall paper. (4668)

Fretted Instrument Manufacturing Corp., Newark, N. J., and United Guitar Corp., Jersey City, N. J., and John Carner, Morris Brooks, Frank Solvino, and Frank Masiello, individually and as officers of one or both of the corporations, have been ordered to cease and desist from unfair and deceptive acts in the distribution and sale of string musical instruments. (4444)

Gene Hughes Drug Stores, Inc., 500 J St., Sacramento, Calif., and its president, Eugene P. Hughes, have been ordered to discontinue disseminating misleading and deceptive representations concerning a preparation sold as a treatment for obesity under the names "Slendoids" and "Slendoids Nu-Form Capsules." Both respondents trade as Sacramento Pharmacal Company. (4316)

Inland Empire Bakers' Association, Inc., 311 Radio Central Building, Spokane, Wash., and its officers and member companies engaged in manufacturing and distributing bread and bakery products in parts of eastern Washington and northern Idaho, have been ordered to cease and desist from entering into or carrying out any combination or conspiracy to fix uniform prices. (4550)

Lustberg, Nast & Co., Inc., New York, manufacturer of heavy clothing such as is commonly worn by sportsmen and outdoor workers, has been ordered to cease and desist from representing in advertisements or on labels that any garment made of wool or cotton or any other woven fabric is manufactured from buckskin or other type of leather. (2536)

Manhattan Brewing Co., engaged in the sale and distribution of beer and ale, with its brewery and principal office at 3901 Emerald Ave., Chicago, has been ordered to cease and desist from misrepresentations in the sale and distribution of its products. (4572)

Milk Cap Statistical Bureau, Philadelphia, and 11 manufacturers representing about 75 percent of the total business of the paper disc milk bottle cap industry, have been ordered to cease and desist from certain practices having the purpose or capacity to restrain, monopolize or eliminate competition in the sale of their products. (4448)

Peggie Moran Co., Inc., 1729¾ North Wilcox Ave., Hollywood, and Irene Johnston, Inc., 811 West Seventh St., Los Angeles, have been ordered to cease and desist from misrepresentation in connection with the sale of a soap known as "Peggie Moran Savon," advertised as an effective agent for removing excess flesh. (4415)

Renesol Corp., 551 Fifth Ave., New York, has been ordered to cease and desist from representing in advertising that the medicinal preparation designated "Renesol," for use in the treatment of epilepsy, is not habit forming and is safe and harmless. (3695)

NAB Reports
National Association of Broadcasters

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 29, July 24, 1942

CRITICAL OCCUPATIONS LISTED

Making no recommendations of its own, the Board of War Communications announced Monday that lists of critical occupations in the communications industries have been forwarded to the War Manpower Commission, the Selective Service System and the United States Employment Service for such use as these agencies may find.

Separate lists for each of the different types of communications show 23 classes of critical occupations for cable companies, 45 classes for telegraph firms, 51 classes for telephone organizations, 48 classes in the various subdivisions of commercial radiocommunication services, 15 classes in international short-wave broadcasting and in standard broadcasting there are 6 classes of technical workers and 3 classes of skilled personnel in program departments.

The agencies were told "The Board does not feel that it is in a position to consolidate these lists for the entire communications industry due to the fact that the nomenclature of positions and the principles applied in the inclusion or exclusion of positions have been different in the various branches of the industry."

It was suggested that the industry and labor representatives on the Board's Joint Labor-Industry Subcommittee should consult directly with the Government agencies in supplying detailed information on the functions performed by persons in the listed positions. Members of the labor representatives are: Paul E. Griffith of the National Federation of Telephone Workers, for telephone workers; Joseph P. Selley of the American Communications Association, for telegraph workers, and Robert J. Watt of the American Federation of Labor, for radio workers. Industry representatives are: Keith S. McHugh of American Telephone and Telegraph Company, for telephone; Ellery W. Stone of Postal Telegraph, for telegraph, and Dr. C. B. Jolliffe of Radio Corporation of America, for radio. Sidney D. Spear of the Federal Communications Commission will assist the subcommittees and perform necessary liaison on this work for the Board.

SCRAP IRON-STEEL—FAT SALVAGE CAMPAIGNS

Considerable interest has been shown by NAB member stations in the advertising campaign, launched to salvage scrap iron and steel and waste fats. NAB thoroughly investigated the plans of these campaigns. The scrap iron and steel is sponsored by the Iron & Steel Institute, Lukens Steel Co., Coatesville, Pennsylvania, and is being handled by Ed. Madden, vice president of McCann-Erickson, 50 Rockefeller Plaza, New York City.

We have been informed by reliable sources that some 200 radio stations have been scheduled to carry paid advertising in connection with this campaign. There is a possibility that further appropriation for radio advertising will be made available.

The Waste Fat Salvage Campaign is sponsored by the Association of Soap and Glycerine Institutes, 381 Fourth Avenue, New York City, of which Roscoe C. Edlund is manager.

It is reported that this campaign does not contemplate the use of any paid radio advertising. Sponsors of soap programs will utilize a part of their time to further the campaign. The agency handling this account is Kenyon & Eckhardt, 247 Park Avenue, New York City.

It should be made clear that no government department is in any way connected with the placement of this advertising nor are any government funds being used in connection with either of the campaigns.

Programs for Victory

Bond Plans from Iowa

Wire to NAB from Woody Woods, Des Moines, outlines the technique WHO has adopted to sell War bonds and stamps. It's a sound plan based on hard selling with competition.

Here's Mr. Wood's wire:

"Starting July 23, Herb Palmbeck, farm news editor and Bob Burlingame, assistant news editor in charge of night side, will sell war bonds. Each has large and loyal following. Will build up competition between them. Announcers will take sides. Urge listeners to support their favorite. Send order attention Palmbeck or Burlingame. Orders will be acknowledged on air."

On July 16, WHO laid down a foundation for their sales campaign with a 30-minute show, 7:30-8:00 p. m. dedicated to American Heroes Day. It utilized a 40-piece orchestra, courtesy of Local 75 A. F. of M., a mixed chorus and dramatic cast from the station. Harold Fair, WHO program director, composed special music for the occasion and conducted the orchestra and chorus. The program was written and produced by Jack Kerrigan, station production manager, with dramatic bits directed by Max Robinson of the station's production staff. The program labelled "This Is Your War" was produced and dedicated especially to further the efforts of the treasury department in the sale of bonds.

Bond Plans from Texas

Lewis Lacey, promotion manager, KTSA, San Antonio, Texas, wires NAB this plan for bond sales. It may prove of interest to stations with quarters in hotels and office buildings, where stamp booths are open. Says Mr. Lacey:

"We have tied-in here with Women's Club and University Women in lobby of city's leading hotel. They sell stamps and will do all paper work on bond purchases and then accompany buyer to our office for the actual sale and delivery of bond. Our announcements on air will point out this service."

618 Stations Sell Bonds

By July 23, 618 stations had accepted the Treasury Department's call for radio stations to become issuing agents for war bonds in accordance with the plans released last week in the NAB War Service Bulletin No. 12. Henry Morgenthau, Jr., Secretary of the Treasury and Vincent F. Callahan, Director of Radio and Press for the War Savings Staff are still receiving telegrams and letters daily from additional stations agreeing to sell war bonds direct to their listeners though one of the three plans outlined in the NAB Bulletin.

This latest undertaking on the part of the radio industry in

(Continued on page 454)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations;* Joseph L. Miller, *Director of Labor Relations;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Lynne C. Smeby, *Director of Engineering*

PROGRAMS FOR VICTORY

(Continued from page 453)

the War effort got under way Thursday with a special program by stations throughout the country already authorized as issuing agents by the Treasury and the Federal Reserve Banks. The broadcasts included a special ten-minute transcript with a message from Secretary Morgenthau congratulating the industry on its cooperation in the past and his personal thanks to stations for so willingly accepting this new assignment.

Secretary Morgenthau's Statement

"For over a year now the radio stations of this country have been bringing home to us the full meaning of the war bond and stamp campaign as a vital part of our war activity. Their support of the war bond effort has been given willingly and patriotically. And when I say 'given', I really mean just that. They have done a truly remarkable job.

"Last week we invited all stations throughout the country to take on an even greater responsibility. We invited them to do a job that will make it easier for you to buy war bonds with ten per cent or more of what you earn. Until now most of you have been able to buy war bonds at banks, post offices, and savings and loan associations. We have found, however, that if we increase the number of places where bonds can be sold, we can also increase the sale of bonds to reach our national quota of twelve billion dollars a year.

"Accordingly, I am delighted to know that hundreds of radio stations have agreed to sell bonds and stamps as direct agents of the Treasury Department. This will mean that in many cases, when banks and post offices have closed for the day, you will be able to buy bonds and stamps directly through your local broadcasting station. Needless to say, I am confident that the radio stations of America will handle this responsibility in a way that does them credit.

"Just how the system will work in your own locality has been determined by the management of this station. A representative of the management is waiting now to give you this news, and I hope that you will all listen carefully to what he has to say."

The above transcribed statement was followed in each case with five-minute live talks by station executives explaining how the war bond sales would be handled locally, several noteworthy examples of which follow:

Treasury Reports Other Sales Plans

WCPO, Cincinnati, is promoting direct sale of bonds through tie-up with RKO theatre chain. Bond booths in eight downtown theatres are manned by Junior League girls and each booth has a direct wire to the station. All stars who come to town are used in publicity on the air and in newspapers and invited to sell bonds in one of these booths. The theatres also publicize this promotion on the screen and mention it in newspaper ads. Meanwhile the radio station promotes this function on all its programs.

WFIL, Philadelphia, is building a Victory Booth on Chestnut Street in front of studios. Each staff announcer is being given a definite period of time in the booth each day to sell bonds. The announcer who sells the most bonds during the week is given a $25.00 bond as a prize.

In addition to the announcer contest, WFIL has a "Bond Wagon" on the streets of Philadelphia each day. The Bond Wagon is a real farm wagon—carrying a five piece band—using a P. A. system. The announcer is dressed as Uncle Sam and sells bonds to the public. A real circus barker exhorts the public to buy bonds. A president of a bank makes a one-minute speech each day at 12 o'clock from the "Bond Wagon."

WGR and WKBW, Buffalo, has initiated a youth movement called the Commando Corps of the Court of Honor, a program broadcast weekly from a local auditorium. On this program that announcer, acting as "Commanding Officer," makes awards and promotions to local youngsters for their sales of bonds during the week. Each youngster has a rank which is raised when his weekly sales of bonds increase to warrant it. ($25 makes him a Corporal, $50 a Sergeant, etc.) The young "Commandos" make a report on the program each week. In approximately two months this program has sold and delivered over $47,000 worth of bonds and stamps.

WHIZ, Zanesville, Ohio, is inaugurating a program calling on important citizens in the city to come up and sing a song. If they sing, they must buy a bond or stamps, in accordance with their financial ability. If they refuse to sing, they must buy twice as many bonds or stamps. They are also planning an outdoor rally along the same lines. A member of the station staff has been appointed to handle sale of bonds, and the station is arranging with local Boy Scouts and Western Union to deliver bonds.

WINX, Washington, D. C., has its bond program underwritten by local taxi cab company which finances the bonds, takes the orders sent to WINX and delivers them personally to the purchasers. Names are chosen from phone book and calls are made asking people to buy bonds during broadcast and their names are mentioned on the air. After broadcast, a taxicab delivers bond applications to applicants, gets check drawn to Treasury, delivers same to bank, buys bond and takes it back to purchaser. This program has sold $14,000 worth of bonds on seven broadcasts.

WKIP, Poughkeepsie, N. Y., arranged to get bonds several days ahead of July 23 and hence started its promotion early. WKIP sells war bonds by a series of radio auctions. A specific example: A Poughkeepsie furniture store donated a $45 chair to the cause. The chair was auctioned off. The person getting the chair bought and got $1,500 worth of bonds. The chair cost him nothing.

In order to get his article of merchandise the buyer must appear within 24 hours with the money and take actual delivery of the bonds. Bruff W. Olin, Sr., station manager, is most enthusiastic. He has already called Federal Reserve for a greater supply of bonds. His original allotment is sold out.

KVAK, Atchison, Texas, has secured an empty store next door to the radio station. In the window has placed pictures of all the boys from that city now in the service. Outside the store is a booth to sell bonds. They are producing a one-hour live show daily with theatre personalities and prominent citizens. They are making arrangements to fill bond orders by mail and also to have bond orders delivered in the city by Western Union messengers.

How To Help Win War

WBBM, Chicago, has a weekly half-hour show "TODAY'S WAR AND YOU" that is doing a good job and achieves the purpose for which it was intended.

The purpose, according to Lavinia S. Schwartz, is to provide "a radio clinic to help listeners find their place in the nation's war effort. A panel of personnel experts from the Army, Navy, Marines, Civil Service, and Federal Security Agency," she explained, "discuss case histories selected from listeners' letters—with emphasis on such questions as:

"Where can I best serve my country?

"Should I enlist in the armed forces or should I remain in civilian life?

"How can I be trained?

"Can I get a Commission?

"What financial provisions can I expect?

"What about my present draft classification?"

The permanent panel consists of:

ARMY: Lt. Perry A. Ball, assistant chief of staff, G-2 Hdqts., Sixth Corps area

RADIO DOES A JOB

FEDERAL SECURITY AGENCY
WASHINGTON

OFFICE OF
THE ADMINISTRATOR

JUL 20 1942

Dear Neville:

About the middle of May the Health and Medical Committee of this Agency reported a serious lag in the recruiting of nurses for the nursing schools to meet wartime needs. It was necessary to obtain nearly fifty per cent more than the usual number of recruits.

Schools of nursing were closing their registrations for the new semester during the latter half of June. Time was short and we elected to make our contribution to the final stage of the recruiting drive almost entirely by radio. Under the allocation plan nearly ninety network sustaining and commercial shows carried the appeal for student nurse recruits. The need for nurses also carried an "A" priority for local stations and we have received enthusiastic reports from the field on the local stations' cooperation with the nursing schools and the recruiting agencies.

My thanks can best be expressed in terms of results. The final figures are not in but at the height of that campaign applications were pouring into the recruiting agencies at the rate of some fifteen hundred a day. The quality of the applications was exceptionally high; preliminary analysis of the returns showed 87 per cent were rated excellent and that another 10 per cent were highly probable prospects for nurse training. About June 15 most of the schools reported that they had all the applicants they could handle for the semester just opening.

My congratulations to the radio industry for this dramatic achievement.

Very cordially yours,

Administrator

Mr. Neville Miller,
President, National Association of
Broadcasters,
1626 K Street Northwest,
Washington, D.C.

NAVY: Lt. David Goldenson, officer in charge of recruiting station

MARINES: Captain C. E. Lighter, central recruiting division

CIVIL SERVICE: J. A. Connor, associate district manager, Seventh Civil Service district

FEDERAL SECURITY AGENCY: Julian Baer, technical representative, office of the regional director, FSA.

Occasionally guests represent Naval Aviation, the Coast Guard, and specialized services within the Army.

Announcer Bob McKee reads a case, often in letter form, and asks each member of the panel to answer. Usually seven cases are answered in each half-hour broadcast. Here is a typical letter from a listener:

"It was with great interest that I listened to your initial program on Monday last. You are to be congratulated on performing a very important and vital service to us Americans who would give our right arm to know just what to do in regard to serving our county best—not from our own standpoint, but from our country's standpoint."

Each listener receives from WBBM a two-page directory containing the names and addresses of the Army, Navy, Coast Guard, Maritime Service, Marine Corps, Civil Service, and U. S. Employment Service. Qualifications for enlistment or employment appear in a separate column.

Include Spots in Local Shows

L. Von Linder, WMT, Cedar Rapids, Iowa, says that his station includes a great many War Effort announcements in locally produced programs on much the same basis as OWI employs the network allocation plan.

Works Spots Into Programs

F. H. Booton, program director, WDZ, Tuscola, Ill., also spots War Effort announcements on strongest local shows. He feels that he does a better job "by having our production man work your announcements into programs."

Marines Help Marines

In Greeley, Colo, a group of ex-Marines have banded together to take over the local recruiting job. This, of course, with sanction of MC officials. They conduct a 15-minute program over KFKA every other Friday evening at 6:45 p. m., using the 15-minute script mailed from Washington.

Write Miss McLarney

If any of your listeners request script of "You Can't Do Business with Hitler" transcribed series, you may forward requests directly to:

Miss Mary Louise McLarney
Office of Emergency Management
1516-14th Street, N. W.
Washington, D. C.

Sales

UNITED BROADCASTING SYSTEM OFFER

Many member stations have called the attention of NAB to the communication received from Howard Blake, United Broadcasting System, 480 Lexington Avenue, New York. The communication asks radio stations to accept without charge some proposed transcriptions of top network commercial shows and to run them free for a period of 39 weeks. There is no indication in the letter that any definite arrangements have been made for any specific shows, but Jack Benny, Bob Hope, and Amos and Andy are suggested as the types.

The lure which is held out to the stations is that if they will run them for 39 weeks, United Broadcasting System will conduct a survey to ascertain the extent of the listening audience and that this can then be used by the stations as a basis for securing subsequent commercial accounts. This is a flagrant instance of a "for free."

NAB has written Mr. Blake the following letter and sent with it the resolution adopted at Cleveland, copy of which is also printed herewith:

"Several member stations have forwarded to NAB headquarters your recent request for radio advertising on a gratis basis.

"Please be advised that NAB member stations are not in the business of handling commercial business of any nature on a free basis. Over a period of many years radio has firmly established its position as an advertising medium which gives full value received to those who use it wisely and well. There is no longer need for any radio station to demonstrate to any advertiser its power as a medium for selling merchandise or commodities.

"For stations to accept or do business upon the basis which you suggest is considered not only a bad business practice but in violation of all of the ethics of advertising. We attach hereto a resolution unanimously adopted by the NAB membership at its 1942 convention.

"We invite you and your clients to use the medium of radio upon the basis of a station's quoted card rates. In that event we are certain that you will find stations willing to cooperate 100 per cent and that the results of radio advertising, wisely and efficiently applied, will more than justify the expenditure."

RESOLUTION

Adopted unanimously by delegates to the 1942 Convention of the National Association of Broadcasters, Cleveland, Ohio, May 13, 1942.

Maintenance of a sound broadcasting industry, particularly vital to the nation in these times of war, is predicated on the observance of good business practices and high standards of ethics, both on the part of broadcasters and of those who would use broadcasting facilities. In cooperation with our government the broadcasting industry is doing its utmost in the promotion of the war program by generous, unselfish all-out contributions of time and talent.

However, some organizations and movements outside the government are seeking their commercial advancement or the promotion of special aims through the free use of broadcasting facilities, sometimes even under the guise of participation in the war program. All such efforts are regarded by the National Association of Broadcasters as unwarranted, unsound, and contrary to the best interests of the industry and the nation.

Similarly, efforts by commercial enterprises to purchase radio facilities on a contingent, guaranteed-return, or per-inquiry basis, again sometimes even under the guise of patriotism, or, more reprehensibly, on the basis that the war emergency should persuade broadcasters to relax their standards of ethics, are declared by this Association to lead to unfair and discriminatory practices, to an undermining of the entire structure of commercial radio, and to the deterioration of an industry vital to its government and to the advancement of the American economic system. Such efforts are, therefore, condemned as unethical, as contrary to the best interests of the industry, and if carried to their logical conclusion as contrary also to the best interests of advertising in general and of the clients served by radio. It is the will of this Association, therefore, that all such requests should be denied by its members, and discouraged by every other means at their disposal.

TALENT FEES

Radio Daily, in its July 22 issue, quoted an attorney for the Wage and Hour Division as saying that all staff announcers working under AFRA contracts should have their overtime computed on the basis of staff salary *plus* talent fees.

The NAB contends that, in certain instances, talent fees should be excluded from staff salary in computing overtime since the announcers, in these instances, are employees of the sponsor while they are earning these fees. (See NAB Wage and Hour pamphlet, page 4.)

At the suggestion of L. Metcalfe Walling, Wage and Hour Administrator, the NAB Labor Relations Department has for some time been engaged in making a survey of the entire talent fee situation, with a view to reaching an understanding with the Wage and Hour Division on this matter.

The NAB Wage and Hour Committee, at its Cleveland meeting in May, authorized this survey.

C. T. Lucy, WRVA, chairman of the Wage and Hour Committee, and Mr. Miller will have a conference Monday to discuss the entire matter.

A PAT ON THE BACK

With this issue of the NAB Reports we publish the facsimile copy of a letter received from the Honorable Paul V. McNutt, Administrator of Social Security. The latter speaks for itself. We publish it in form so that any station desiring to use it for display purposes may do so. It is a swell boost for radio and the job that broadcasting is doing in connection with the war effort. We sincerely thank Mr. McNutt.

Gregory Gentling

In the death of Gregory Gentling, KROC, the broadcasting industry has sustained a real and serious loss. Greg was one of the pioneers of the industry and beloved by all who knew him

INTERNATIONAL BROADCASTING

To keep flexible the international short-wave operations of American international stations, the FCC has provided its Chief Engineer with authority to grant temporary frequency shifts when interference problems threaten the efficiency of broadcasts. Upon recommendation of the Board of War Communications the FCC adopted Administrative Order No. 2-E which authorizes the FCC Chief Engineer to act upon any request of an international broadcast station licensee to substitute temporarily another frequency for a frequency specified in the applicant's regular license. It is provided, however, that the Chief Engineer wherever feasible shall authorize a frequency within the same megacycle band as the frequency specified in the regular license.

The effect of the Order would permit the international stations to shift a few kilocycles in either direction to evade interference frequently caused by other communications activities. The Board of War Communications recommended the step as an "effort to insure the best and most continuous reception of United States international broadcast programs in foreign countries".

FEDERAL LEGISLATION

HOUSE

H. R. 7370 (Lea, D.-Calif.) COMMUNICATIONS—To authorize, during time of war, waiver of compliance with or modification or suspension of the operation of certain provisions of the Communications Act of 1934. Referred to the Committee on Interstate and Foreign Commerce.

SENATE

S. 2661 (Clark, D-Idaho) COMMUNICATIONS—To amend section 606 of the Communications Act of 1934 for the purpose of granting to the President in time of war certain powers to waive compliance with, modify, or suspend in whole or in part the operation of certain provisions of the Communications Act of 1934. Referred to the Committee on Interstate Commerce.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 27. They are subject to change.

Monday, July 27

Broadcast

To Be Held in Richland County Courthouse, Mansfield, Ohio

WMAN—Richland, Incorporated, Mansfield, Ohio.—Renewal of license, **1400 kc.,** 250 watts, unlimited.

Tuesday, July 28

NEW—Herman Radner, Dearborn, Mich.—C. P., **680 kc.,** 250 watts, daytime.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

National Broadcasting Co., Inc., and Blue Network Co., Inc.—Granted modification of 47 relay station licenses (heretofore licensed for operation with NBC Red and Blue Network stations), to authorize operation with NBC (Red Network) stations only; and granted applications of Blue Network Co., Inc., for licenses to operate 48 relay stations, for period of 2 years, licenses to have uniform dates; designated for hearing application of Blue Network Co., Inc. (B5-PRE-428) for construction permit for one additional relay station.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted extension of Special Service Authorization to operate on **1010 kc.,** 5 KW night, 10 KW LS, unlimited time, directional antenna night (B3-SSA-41).

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending December 1, 1942:

KDTH, Dubuque, Iowa; KELA, between Centralia and Chehalis, Wash.; KEVE, Everett, Wash.; KFJM, Grand Forks, N. Dak.; KGER, Long Beach, Cal.; KGNC, Amarillo, Texas; KMED, Medford, Ore.; WHP and auxiliary, Harrisburg, Pa.; WMBG and auxiliary, Richmond, Va.; KERN, Bakersfield, Cal.; KGNF, North Platte, Neb.; KGNO, Dodge City, Kans.; KIDO, Boise, Idaho; KSO, Des Moines, Iowa; KTSM, El Paso, Texas; KWK, St. Louis, Mo.; WALA, Mobile, Ala.; WHOM and auxiliary, Jersey City; WWRL, Woodside, L. I.; KSLM, Salem, Ore.; KTUL, Tulsa, Okla.

The following stations were granted renewals on a regular basis for the period ending August 1, 1944:

KFXJ, Grand Junction, Colo.; KPOF, Denver; KUSD, Vermillion, S. Dak.; WJAR and auxiliary, Providence, R. I.; WLBL, Stevens Point, Wisc.; KRRV, Sherman, Texas; WAAF, Chicago; WBEN and auxiliary, Buffalo, N. Y.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewals, for the period ending September 1, 1942:

KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KFJB, Marshalltown, Iowa; KGKL, San Angelo, Texas; KPLT, Paris, Texas; KRBC, Abilene, Texas; KSWO, Lawton, Okla.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KXL, Portland, Ore.; WBRB, Red Bank, N. J.; WCAX, Burlington, Vt.; WCAZ, Carthage, Ill.; WCOC, Meridian, Miss.; WMRO, Aurora, Ill.; WNBZ, Saranac Lake, N. Y.; WSPB, Sarasota, Fla.; KGGF, Coffeyville, Kans.; KGIW, Alamosa, Colo.; KMTR, Los Angeles, Calif.; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KWKH, Shreveport, La.; WCBT, Roanoke Rapids, N. Car.; WCOP, Boston, Mass.; WFPG, Atlantic City, N. J.; WMUR, Manchester, N. H.; WOV and auxiliary, New York.

Licenses for the following stations were extended upon a temporary basis for the period ending September 1, 1942, pending determination upon renewals:

KABR, Aberdeen, S. Dak.; KFEL, Denver; KFKA, Greeley, Colo.; KFPY, Spokane, Wash.; KFRO, Longview, Texas; KID, Idaho Falls, Idaho; KIEM, Eureka, Calif.; KSEI, Pocatello, Idaho; WFCI, Pawtucket, R. I.; WGES, Chicago; WLOL, Minneapolis; WSAR, Fall River, Mass.; WSPD, Toledo, Ohio; WTJS, Jackson, Tenn.; WTSP, St. Petersburg, Fla.; KSCJ and auxiliary, Sioux City, Iowa; KVAN, Vancouver, Wash.; WADC, Tallmadge, Ohio; WBYN and auxiliary, Brooklyn, N. Y.; WHBL, Sheboygan, Wisc.; WHIS, Bluefield, W. Va.; WING, Dayton, Ohio; WKAT and auxiliary, Miami Beach, Fla.; WNBC and auxiliary, Hartford, Conn.; WSAZ, Huntington, W. Va.; WTAD, Quincy, Ill.

WEVD—Debs Memorial Radio Fund, Inc., New York City.—Granted renewal of license for the period ending October 1, 1944.

KSRO—Ernest L. Finley, Santa Rosa, Calif.—Present license extended upon a temporary basis, pending determination upon application for renewal, for the period ending October 1, 1942.

W8XO—The Crosley Corp., near Mason, Ohio.—Present license further extended upon a temporary basis only to September 1, 1942, pending determination upon renewal.

W8XUM—WBNS, Inc., Columbus, Ohio.—Present license further extended upon a temporary basis only to September 1, 1942, pending determination upon application for renewal.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1942.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1942.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Cancelled hearing on application for renewal of license heretofore scheduled, and dismissed said application.

DESIGNATED FOR HEARING

WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Designated for hearing application (B2-P-2752) to change frequency from **1240** to **560 kc.**, and power from 250 watts to 100 watts night, 250 watts LS.

KSOO—Sioux Falls Broadcast Association, Inc., Sioux Falls, So. Dak.—Designated for hearing construction permit (B4-P-2667—Docket 5860) to increase power to 10 KW, increase hours of operation to unlimited, install a new transmitter, install directional antenna for night use and move transmitter locally.

K61LA—Metro-Goldwyn-Mayer Studios, Inc., Los Angeles, Calif.—Designated for hearing application for modification of construction permit (B5-MPH-73), requesting time within which to complete construction of station.

APPLICATIONS DISMISSED

The Commission dismissed the following cases involving the use of materials to construct new or change facilities of existing standard broadcast stations, inasmuch as petitions have not been filed under provisions of the Memorandum Opinion of April 27:

New Stations:

Jayhawker Broadcasting Co., Inc., Topeka, Kans. (B4-P-3466); The Gazette Co., Cedar Rapids, Iowa (B4-P-2283); Fred Jones, Mary Eddy Jones, and W. E. Hightower, d/b as Fred Jones Broadcasting Co., Tulsa, Okla. (Docket 5947).

For Changes in Facilities:

Educational Broadcasting Corp. (KROW), Oakland, Calif. (B5-MP-1531); Reporter Broadcasting Co. (KRBC), Abilene, Texas (B3-P-2553); John R. Pepper (WJPR), Greenville, Miss. (B3-P-3099); Central Calif. Broadcasters, Inc. (KRE), Berkeley, Calif. (B5-P-2987); Frank E. Hurt (KFXD), Nampa, Idaho (Docket 6260); News-Review Co. (KRNR), Roseburg, Ore. (Docket 6261).

MISCELLANEOUS

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted modification of construction permit authorizing construction of a 100 watt synchronous amplifier, for extension of completion date from July 26, 1942, to January 27, 1943 (B2-MP-1596). Granted modification of construction permit which authorized increase in power, installation of directional antenna for night use, and move of transmitter, for extension of completion date from July 26, 1942, to January 27, 1943 (B2-MP-1597).

WAUT—Evansville On the Air, Inc., Portable-Mobile, area of Evansville, Ind.—Granted modification of license for change in location of transmitter (B4-MLRY-44).

WEMU—The WGAR Broadcasting Co., Cleveland, Ohio—Granted license to cover construction permit which authorized a new relay broadcast station (B2-LRE-419).

KGDM—E. F. Peffer, Stockton, Calif.—Granted modification of construction permit for change in frequency, hours of operation, increase in power, install directional antenna for night use and new transmitter, for change in type of transmitter (B5-MP-1584).

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted license to cover construction permit as modified, to install new transmitter and directional antenna for day and night use, increase power, and move transmitter (B5-L-1681); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1417).

WHKC—United Broadcasting Co., Columbus, Ohio.—Granted license to cover construction permit for new vertical antenna system and move of transmitter (B2-L-1673); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1406).

KGA—Louis Wasmer, Seattle, Wash.—Granted license to cover construction permit as modified, for installation of new transmitter and directional antenna for night use, increase in power, and move of studio and transmitter (B5-L-1677); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1413).

WGRC—Northside Broadcasting Corp., New Albany, Ind.—Denied petition for grant of its application for construction permit to operate on **790 kc.**, 1 KW, unlimited, directional antenna, and amended the issues (Docket No. 6052).

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Denied petition for grant of application for construction permit (B1-P-3404—Docket 6299), and set same for hearing.

Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—Denied petition requesting grant of application for construction permit (B-P-2978—Docket 6097), and designated same for further hearing.

Air-Waves, Inc., Baton Rouge, La.—Denied petition requesting grant of application for construction permit (B3-P-3202, Docket 6155), and designated same for further hearing.

Louisiana Communications, Inc., Baton Rouge, La.—Denied petition requesting grant of application for construction permit (B3-P-3242, Docket 6157), and designated same for further hearing.

Newark Broadcasting Corp., Newark, N. J.—Denied petition requesting grant of application for construction permit (B1-P-3249, Docket 6190), and designated same for further hearing.

WPRP—Julio M. Conesa, Ponce, P. R.—Denied petition insofar as it requests reconsideration and grant of application for construction permit (Docket 5678), and ordered amended issues of hearing.

WPRP—Julio M. Conesa, Ponce, P. R.—Denied petition requesting reconsideration and grant of application for modification of construction permit (Docket 6107), and ordered issues of hearing amended.

W63C—National Broadcasting Co., Inc., Chicago, Ill.—Cancelled outstanding construction permit (B4-MPH-69), deleted call signal, and closed the records of the Commission with respect to this station.

W59BM—The Baltimore Radio Show, Inc., Baltimore, Md.—Cancelled outstanding construction permit (B1-PH-119), deleted call signal, and closed the records of the Commission with respect to this station.

W73D—King-Trendle Broadcasting Corp., Detroit, Mich.—Cancelled outstanding construction permit (B2-PH-97), deleted call signal, and closed the records of the Commission with respect to this station.

W69GR—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Cancelled outstanding construction permit (B2-PH-93), deleted call signal, and closed the records of the Commission with respect to this station.

KTRN—Michael J. Mingo, Tacoma, Wash.—Denied petition requesting the Commission to extend the time for completion of station's construction.

Brainerd-Bemidji Broadcasting Co., Brainerd, Minn.—Denied request for an extension of time to meet the conditions of the Commission's grant of November 25, 1941, of a construction permit for a new station.

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Cancelled hearing on application for renewal of license for WOWO, and granted renewal upon a regular basis.

WKBV—Knox Radio Corp., Richmond, Ind.—Cancelled hearing on application for renewal of license for WKBV, and granted renewal upon a regular basis.

WNBW—National Broadcasting Co., Inc., Washington, D. C.—Cancelled outstanding construction permit (B1-MPCT-9), deleted the call signal and closed the records of the Commission with respect to this station.

W3XPP—National Broadcasting Co., Inc., Philadelphia, Pa.—Cancelled outstanding construction permit (B2-MPVB-75), deleted call signal and closed the records of the Commission with respect to this station.

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—The Commission reconsidered and set aside its action of July 7 in denying the application of Dr. Geo. W. Young, licensee of WDGY, for Special Service Authorization to operate unlimited time with power of 500 watts after local sunset during summer months, and 500 watts from sunset Minneapolis to sunset at Albuquerque, and 250 watts after sunset Albuquerque during winter months, and modifying, upon its own motion, the license of WDGY to provide unlimited time operation with 250 watts night, 5 KW LS.(*)

(*) This action puts the application back to its original status.

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Denied Special Service Authorization to operate on **860 kc.** with 500 watts night, 5 KW LS, unlimited time (B3-SSA-32).

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Granted petition to intervene in the hearing on the application of WROL, Knoxville, Tenn., for construction permit.

KDNT—Harwell V. Shepard, Denton, Texas.—Granted petition for extension of time in which to file appearance in re application for construction permit.

WKPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Denied petition for continuance of hearing now set for July 22, in re application of WKPT and WGRC, New Albany, Ind., for construction permits.

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted petition to dismiss without prejudice application for construction permit (B3-P-3012).

Camden Broadcasting Co., Camden, N. J.—Granted petition to dismiss without prejudice application (B1-P-2926) for new station.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing now set for July 23 to August 24, on modification of license to operate on **1230 kc.**, 250 watts, unlimited.

APPLICATIONS FILED AT FCC

560 Kilocycles

WIS—Surety Life Insurance Co., Columbia, S. Car.—License to cover construction permit (B3-P-2870 as modified) for increase in power and changes in directional antenna.

WIS—Surety Life Insurance Co., Columbia, S. Car.—Authority to determine operating power by direct method.

600 Kilocycles

WCAO—The Monumental Radio Co., Baltimore, Md.—Modification of construction permit (B1-P-3024 as modified) for increase in power, move of transmitter, installation of new transmitter and directional antenna, requesting extension of completion date from 8-8-42 to 9-8-42.

970 Kilocycles

WFLA—The Tribune Company, Tampa, Fla.—Construction permit to increase power from 1 KW night, 5 KW daytime to 5 KW day and night, and make changes in directional antenna for night use. Amended: re further changes in directional antenna.

1000 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified) for increase in power, change in hours of operation, installation of new transmitter, directional antenna and move of transmitter requesting extension of completion date from 8-3-42 to 11-3-42.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory, Gordon P. Brown, Owner, Rochester, N. Y.—Modification of construction permit (B1-P-2924) for change in frequency, increase power, install directional antenna, new transmitter and move transmitter requesting change in transmitter location from Greece, New York, to Brighton, New York, change type of transmitter and changes in directional antenna.

1540 Kilocycles

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa.—License to cover construction permit (B4-P-3395 as modified), for new standard broadcast station.

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa—Authority to determine operating power by direct method.

FM APPLICATIONS

W85A—General Electric Co., Schenectady, N. Y.—Modification of construction permit (B1-PH-19 as modified) for new high frequency broadcast station requesting change in type of transmitter and extension of commencement and completion dates.

W3XAD—RCA Manufacturing Co., Inc., Camden, N. J.—License to cover construction permit (B1-PVB-92) which authorized addition of transmitter to use Special Emission for FM on aural channel and to change designation of transmitter location.

W3XEP—RCA Manufacturing Co., Inc., Camden, N. J.—License to cover construction permit (B1-PVB-93) which authorized addition of transmitter to use Special Emission for FM on aural channel with power of 10 KW.

MISCELLANEOUS APPLICATIONS

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Extension of authority to transmit programs to CFRB and CKAO and other stations under the control of the Canadian Broadcasting Corporation for the period 9-15-42 to 9-15-43.

WGEO—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-PIB-36) for changes in type transmitter.

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Acquisition of control of permittee corporation by L. W. Andrews through purchase of stock from Fred A. Gefke.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Castle Co., Inc., 1374 Broadway, New York, engaged in the sale and distribution of silver chains and other articles of jewelry, is charged in a complaint with misrepresentation. (4785)

Congoleum-Nairn Inc., Kearny, N. J., engaged in the manufacture and sale of a line of hard-surface composition flooring, including a felt-backed floor covering called "Treadlite Rubber Cushion Inlaid Linoleum," is charged in a complaint with misrepresentation. (4784)

Franklin Sales Co., 212 South Franklin St., Chicago, is charged in a complaint with the use of lottery methods in the sale to ultimate purchasers of various articles of merchandise, including glassware and silverware, pen and pencil sets, radios, luggage, and electrical appliances. (4782)

Press Radio Service—A complaint issued charges Joseph Cohen, trading as Press Radio Service and as Press Supplies, 713 Otis Place, N. W., Washington, D. C., with misrepresentation in the sale of so-called press supplies, including press cards and automobile press tags which he represents as entitling the holder to pass through police and fire lines and to receive the courtesies and privileges extended to regular newspaper correspondents. (4783)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Grand Rapids Furniture Co., Inc., 300 Monroe St., Passaic, N. J., has been ordered to cease and desist from misrepresenting in any manner the place of origin or manufacture of the household furniture it sells. (4463)

Income Audit Service Corp.—An order to cease and desist from misrepresentation in the sale of a bookkeeping and accounting system known as "Income Audit Service" has been issued against Income Audit Service Corp., 3407 Perry St., Mount Rainier, Md., and Frank H. Hibberd, who controls the policies of the corporation. (4715)

Mar-Gol Health Products Corp.—Misrepresentation of the therapeutic properties of a product designated "Roberta Blueberry Juice" is prohibited under an order issued against Mar-Gol Health Products Corp., 203 North Humphrey Ave., Oak Park, Ill. The product is made from a type of blueberry grown by the respondent company in Florida and processed in its plant at Crest View, Fla. (4607)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Clark Mechanical Laboratories, Newark, N. J., entered into a stipulation to cease and desist from certain representations in connection with the sale of electric dry shavers. (3511)

Hill Laboratories, Carterville, Ill., stipulated that it will discontinue certain representations in connection with the sale of a medicinal preparation designated "Hemorointment." (03020)

Houston Milling Co., Inc., Houston, Texas, stipulated that in the sale of American Maid Arrow Feeds it will cease and desist from making the following representations:

That use of Arrow Turkey Growing Mash or Arrow Sure Shot Growing Mash will result in more eggs or greater profit, without limiting such basis of comparison to natural as distinguished from other prepared feeds; that use of Arrow Horse and Mule Feed enables animals to do more work at lower feeding cost; and that the addition of cereal grass to Arrow Feeds gives results that are not possible with many feeds containing no cereal grass. (03022)

Joel Isaacs Shirt Co., 1200 Broadway, New York, has entered into a stipulation to cease and desist from misbranding certain novelty shirts he sells. (3510)

Maytag Co., Newton, Iowa, engaged in selling Maytag washing machines, stipulated to discontinue representing, through use of the words "entirely safe" or the word "safe", or words of similar meaning, that there is no possibility of injury from the use of the wringer on the Maytag, or, by use of the expression "standard of the world for washer value", that the Maytag has been designated as a world standard for washer values by any person, group or organization with authority to set such a standard; that the wringers on most competing washing machines have sharp, protruding corners, or that there are 4,000,000 owners of Maytag washing machines. (03024)

Nott Manufacturing Co., 87 Frankfort St., New York, engaged in selling rat poisons designated "Rat-Not" and "Rat-Nots," entered into a stipulation to cease representing that either of his products is recommended by the U. S. Department of Agriculture; that they will drive outdoors to die those rats which are induced to take them; that either of the products assures the complete extermination of rats, or that either is harmless to humans, dogs, cats or livestock. (03023)

Queen Ant Control, Inc., Columbus, Ohio, has entered into a stipulation to cease and desist from certain representations in the sale of rat poison designated "Q. A. Ratabs." (03021)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 30, July 31, 1942

WAR BOND CAMPAIGN

More than 70 percent of all radio stations in the country have agreed to become direct agents of the Treasury Department in the sale of War Savings Bonds, Secretary Morgenthau announced today.

Swiftly mobilized, 621 out of the country's 868 radio stations notified the Secretary that they would undertake this assignment. Radio thus becomes the first industry which as a whole is going outside of its direct field of action to aid the Treasury in its twelve billion dollars a year War Bond selling goal.

Within 24 hours after Vincent F. Callahan, Director of the Treasury's Press and Radio Sections, telegraphed an appeal for help, 511 stations responded with acceptances. It developed that several stations, some of them owned by newspapers, had already become issuing agents and were successfully selling War Bonds and Stamps directly to listeners and delivering bonds through arrangements with local banks.

It is estimated that approximately 90 percent of all stations in the country will become direct Treasury agents for the sale and delivery of War Savings Bonds. Included among the ten percent which it is expected will be unable to accept the assignment are stations which are on the air only a few hours or which do not have the facilities or personnel because they have been hard hit by Selective Service. Several are municipal stations; some may qualify as issuing agents at a later date.

Today there goes out to all the radio stations and the newspapers from the Treasury Department a bulletin reporting progress. In it will appear, among other items, a letter from Neville Miller to Secretary Morgenthau. The letter follows:

> "Mr. Callahan has, I am sure, advised you of the manner in which the radio broadcasters of the nation have responded to your suggestion that they act as issuing agents for war bonds. Over 600 stations already have been authorized to act in that capacity.
>
> "Broadcasters at all times are most happy to cooperate in every way in the government's war effort and this response on their part is but additional evidence of this spirit of cooperation.
>
> "I know that I reflect the sentiment of every broadcaster in saying to you that we deeply appreciate the faith and confidence which you have in our medium. We are proud of the record the industry has already made and welcome this opportunity to be of further service."

Programs for Victory

Each station is authorized to work out whatever local promotion plans would be effective in their areas. In Pittsburgh, KDKA, one of radio's pioneer stations, inaugurated its bond selling campaign with a public celebration on the steps of the City Hall with the mayor and Pennsylvania War Savings officials participating.

WBAL in Baltimore started off its campaign with a series of full-page newspaper advertisements. WUSR in Butler, Pennsylvania, stocked up with $5000 in bonds and sold out the first day, its actual sales totalling $6500. WFIL in Philadelphia is holding an announcers' contest, the announcer selling the most bonds getting a $25 bond. In Chicago WBEN is devoting one and one-quarter hours daily in the afternoon to selling bonds.

Poughkeepsie's WKIP is selling bonds by a series of radio auctions. This feature has been so successful that the first bond supply was sold out in several days, and the station has asked the Federal Reserve Board for more bonds. Station WCPO in Cincinnati, Ohio, has made a tie-up with the RKO theatre chain and has enlisted the aid of Junior League girls and is promoting bonds on all its programs. In Bangor, Maine, station WOBI is offering prizes for the best suggestion as to how a station can sell bonds and is touring a bond wagon through the streets. In New York City station WJZ is selling bonds directly over the air and has erected a booth in Radio City in cooperation with the American Women's Volunteer Service. Station WINX in Washington, D. C., is making direct sales in cooperation with a taxi company, the drivers delivering the bonds.

One of the most novel ideas is being executed by stations WGR and WKBM in Buffalo, N. Y. These stations have inaugurated a youth movement called the "Commando Corps of the Court of Honor." Boys who sell a $25 bond are made corporals. A $50 bond sale mounts the boys to a sergeant. Station KTSA in San Antonio, Texas, in cooperation with a local women's club, is selling bonds and stamps in the downtown. In Des Moines, Iowa, station WBO is promoting a contest between two of its most popular announcers. Station WLS of Chicago, Illinois, opened its campaign with an all-night program. These stations divided the town into two teams with the artists making direct appeal over the air and prizes being awarded to the teams selling the most bonds.

WGAR, Cleveland, writes:

> We are awaiting receipt of War Bonds from the Cleveland Federal Reserve Bank, and the moment these are available to our listeners we will shoot the works.
>
> We already are building up the idea on various programs, advising our listeners that within a few days they can buy bonds at Cleveland's Friendly Station.
>
> Our selling theme at the beginning is going to be built around certain personnel that are on the air every day. For example, our early morning Musical Clock announcer, Johnny McKnight, is going to appeal to all his early morning listeners to help him observe "Johnny McKnight Day," by coming in so that he personally can issue them bonds.
>
> Our Women's Editor is going to do the same thing on her program every day, so is our Musical Director on his program, and certain of our newscasters.
>
> However, we certainly are not going to neglect publicizing many other places where bonds can be obtained. We will continue to give the same amount of time to this as we have always given. Efforts on our own behalf will simply be additional time.
>
> The station will establish a "WGAR Honor Roll," listing in a special broadcast the names of those who have bought from WGAR. We hope this will provide an incentive to those who otherwise may put off buying or even neglect buying from their Post Office, Bank, etc.
>
> Next Sunday we are using Mr. Morgenthau speech, and will follow it with a statement by John Patt, our Vice President and General Manager.
>
> We have also just arranged to have some visiting celebrity appear at our studio each afternoon between five and six to sell

(Continued on page 462)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

PROGRAMS FOR VICTORY

(Continued from page 461)

bonds, and also appear on the air. We will lead off next Monday with Tommy Dorsey selling and autographing bonds right here in our studio. That, of course, will be publicized plenty prior to Monday afternoon.

WCBI "Buy at Home Campaign"

With the blessings of the Columbus Chamber of Commerce and the Committee for the Sale of War Bonds and Stamps, WCBI, Columbus, Miss., inaugurated their new series of daily hour broadcasts entitled, "Buy at Home." The program is co-sponsored by 20 leading firms of the Columbus area who urge local residents to "Buy at Home," thereby saving tires and gas and also effecting a savings in purchases which may be diverted to buying War Bonds and Stamps. The idea caught on with a bang and is reaping fine results for all concerned. The broadcast features martial music and two announcers alternate with commercial copy and announcements from the Treasury Department.

Every cooperating sponsor was presented with a large red, white and blue placard to display in his show windows carrying the message of the program idea, time of broadcast and pertinent information about the program. The broadcast was sold to cover a period of two months, July and August. The station reports this idea works fine and is a new source of revenue during the comparatively dull summer months.

Arthur B. Church, president, KMBC, Kansas City, has offered a series of cash prizes as incentive bonuses in the scrap metal collection.

The air campaign itself opened with a half-hour show Sunday, July 26. It included a pickup from a scrap metal compressing plant and a studio pickup with farmers and others who outlined the campaign.

One Hundred Dollars in Prizes

Following are the prizes which Mr. Church has authorized:

$50 to the Future Farmers of America or 4H group that collects the most scrap metal; $25 to the group collecting the second largest amount; $25 to the individual in either the FFA or 4H who collects the most.

The competition also included the Boy Scouts. Fifty dollars will be paid to the Boy Scout troup that makes the largest collection; $25 to the Troup that makes second largest collection and $25 to the individual Boy Scout who tops all others.

Radio Delivers WAACS

How an intensive recruiting campaign operates to produce results is attested by KOY, Phoenix, Ariz. Here is the story as certified by Frances C. Myers, coordinator of war production for the station. It concerns cooperative efforts with the U. S. Army recruiting office in the recent drive for the Women's Army Auxiliary Corps.

Says Miss Myers: "The local recruiting office first released the announcement to the press. Some days later we contacted the office to inquire what response they were receiving and learned '*practically none.*' We then joined forces with them and waged an all-out campaign to get the women they needed.

"The call to Arizona was for thirty-two women and, eventually, by intensive driving on the air, we did find for them women in all of the categories. Many of them fell by the wayside in the final examinations, but that was not our fault. The important factor is that we did secure for the recruiting office the thirty-two women!"

The recruiting program titled, "We're in the Army Now!" Below is the announcers introduction of the opening broadcast.

"There's a new cry throughout the nation. It's a battle cry . . . a call to arms for those who love the dream of Freedom! It's not the voice of strong, determined men . . . it's the voice of courageous women—mothers, wives, sisters, sweethearts! It's the voice of the WAACS—The Women's Army Auxiliary Corps."

Musical Comedy by Army Men

"Park Your Khaki," the musical comedy written, directed, orchestrated and produced by the men of Fort Devens, Mass., will be broadcast by stations WBZ and WBZA, this evening, at 10:30. The revue, the first of its kind produced here, features 40 men from the New England States.

"Park Your Khaki" is full of new tunes, comedy, and sketches and satires on Army life. It was produced by Private Walter Petersen, of Boston, who was with the Shuberts before entering the Army, Private Richard Feinberg, of Brookline, Mass., former song writer and theater producer, and Private Kelly Yeaton, of Lisbon Falls, Maine, former writer and theatrical technician. The music is under the direction of Corp. Bob Kaplan, son of Ben Kaplan, radio editor of the Providence Journal and Bulletin. The cast includes men who have been in radio, the theater and motion pictures.

WBZ-WBZA Helps Coast Guard

Special programs, devoted to telling the people of New England of the activities and services performed by the U. S. Coast Guard, will be presented next week over Westinghouse Stations WBZ, Boston, and WBZA, Springfield. The week will be ushered in by a concert by the band of the Coast Guard Academy, of New London, Conn., broadcast from Hatch Memorial shell, on the Esplanade, Boston, over WBZ and WBZA, Sunday, Aug. 2, at 4:30 p. m.

Tuesday, Aug. 4, will be Coast Guard Day on the air over WBZ and WBZA, with programs throughout the day devoted to this vital branch of our armed forces. A dramatization, written to show the work the men of the Coast Guard perform, will be heard on the air at 7:30 p. m. The Coast Guard Band will also be heard on Sundays, Aug. 2 and 9, at 6:15 p. m., on its regular weekly schedule.

SENATORS RAP COMMENTATORS

On Monday, the 27th, some of the members of the Senate had a field day with radio commentators, newspaper editors and columnists. The discussion came about as a result of their criticism of Congress.

Senator O'Mahoney (D-Wyo.) led off with a charge that, "Too many radio commentators and too many editors are merely propagandists, who are trying to convey to their listeners or to their readers the points of view which they themselves hold, even though in many cases they entertain these opinions without any factual basis."

No words were spared by either Senator O'Mahoney or the others who spoke upon the subject. Names of commentators were mentioned and specific instances cited. Senator Chandler (D-Kentucky) complained about a misstatement by one commentator with regard to what that commentator charged was an attempt on the Senator's part to secure an appropriation for a Senatorial investigation by a subcommittee of which he is Chairman of Alaskan defenses. He denied ever having made a request for an appropriation or participated in any activity with respect thereto. He was strongly backed by Senator Lucas (D-Illinois), who said:

"In my humble opinion, the American people are entitled to know the facts, whether they come from radio commentators, from the press of the country, from the Army, the Navy, or the Commander in Chief. If a communique of any kind is to be issued, regardless of its source, the American people are entitled to know the facts. * * * If in this crisis we give the people the facts, we do not need to worry about their response. However, for some reason or other, the people are given innuendos and indictments by implication, leaving the reader or the listener in the air as to what the next move is to be. * * *

"Regardless of what is done in peacetimes, it seems to me that in the great emergency through which we are passing, when the life of this Nation is threatened, every individual, regardless of mercenary or other reasons he may have as a radio commentator or as a newspaper columnist, should in this hour give the best that is in him. * * *

"Let me say one further word as to some of the so-called wizards over the radio. I think the time has come when some sort of an investigation should be made to ascertain the motives and the reasons why some of them continually misquote the facts and take the position they do. Some of the things they say are absurd and ridiculous. Over the radio they constantly attempt to substitute their judgment for that of men who have been trained for years and years in some particular military, air, or naval activity or strategy. * * *"

Senator O'Mahoney resumed and said:

"Democracy cannot be maintained unless we restrain ourselves. Democracy cannot be maintained if the press allows itself to condemn upon small evidence those who happen to be in the public eye. Democracy cannot be maintained if radio commentators, hurrying to make their script ready for a deadline, are not careful about what they propose to state as facts, and then go on the air with hurried interpretations of events that have happened."

Again joining in the discussion, Senator Lucas spoke as follows:

"I think the Senator has done a real service in discussing the misstatements of fact which are now being hurled over the ether waves by some radio commentators. * * * I am of the opinion—and its is based upon reaction in my own family—that at this hour in our national life radio commentators have a tremendous influence and impact upon what the American people are thinking about, and undoubtedly are helping the people to form their conclusions as to what should or should not be done in this emergency."

He then made the following rather startling suggestion:

"Mr. President, I desire to read a portion of the Communications Act, and then make a suggestion.

"Under section 303 of that act the following provision is made:

> "The Commission from time to time shall have the authority to make general rules and regulations requiring stations to keep such records of programs, transmissions, or emergency communications or signals as it may seem desirable.

"I do not doubt that in the exercise of that power the Commission has caused every radio station to submit to it a copy of every address which has been delivered from time to time by the various commentators, and no doubt at this moment they are watching them more carefully than ever before. I think they should do so.

"It seems to me, Mr. President, as a practical suggestion, that Elmer Davis, along with the Commission, but especially Mr. Davis, could very well call in the sponsor of Carter's Little Liver Pills or the sponsor of this perfume, or that drug, and perhaps the owner of the station, and sit down with them and point out that during the last 3 months John Jones, the commentator, has said one thing after another which, in the opinion of Mr. Davis, was not in the best interests of unity, and which was not in the best interests of winning the war under the present very trying circumstances. * * *

"I have no quarrel with any newspaperman, I have no quarrel with any radio commentator, I have no quarrel with any columnist. * * *

"I speak with the utmost sincerity upon this question. I speak in the interest of the common welfare of all Americans. In the interest of national unity I make this suggestion which I hope will have the effect of lighting a little spark in the hearts of some of these men, with the result that they will give us only true facts about the present situation. * * *

"I am satisfied that if Elmer Davis would call in the sponsor and call in the officials of the station over which the type of speech to which reference has been made was delivered, and would sit down with the sponsor and read to him what was said by this particular commentator from time to time, and point out the effect that kind of propaganda is having insofar as the division of our people is concerned, and upon unity in the war he could appeal to the sponsor on the ground of high patriotism to ask the commentator to get in line and refrain from making statements in his broadcasts which weaken national unity, or probably the sponsor himself would see to it that the commentator was ultimately taken off the air."

On this point Senator O'Mahoney expressed serious doubt and said:

"I cannot quite agree with the suggestion the Senator has now made, that Mr. Elmer Davis, or any one else, should be empowered to call in any one and say, 'You did not say the right thing,' or 'This is what you said,' or 'That is what you said.'

"If the Federal Communications Commission or any Government employee, whether the employee is working under civil service or working as a volunteer, were to undertake to discuss, with commentators or editors, the opinions they have expressed or the comments they have made, that would immediately lead to the charge that they were being prevented from saying what they wanted to say.

"Mr. President, it is much more important that everyone be permitted to say what he pleases as he pleases. My appeal this afternoon to the radio and to the press is to exercise that restraint which is becoming a free people, and not to make charges which cannot be substantiated immediately by reference to the facts, and certainly not disseminate upon the air waves of the world accusations against public servants based upon hearsay and innuendo and suspicion, at a time when, above all things, it is essential for all of us to unite in the prosecution of the war."

Concluding the discussion Senator Lucas observed:

"One of the troubles with many radio broadcasters is that they are not responsible to anyone, so to speak. One sponsor has them for 1 week or 6 weeks, and another sponsor has them for another 6 weeks. They are in a category wholly different from that of a newspaper, as I view it, and certainly we ought to have all the information we possibly can obtain in regard to the sponsor, the advertisement, and the individual who is commentating for 1 minute upon a particular article and during the other 14 minutes telling us what is wrong with the world."

"Is Your Hat in the Ring?"

This booklet containing suggestions and advice to candidates for public office using radio has proven extremely popular. So much so, in fact, that it is being revised. The revision will contain the up to date statistics and some suggestions other than those given in the original book. They will be available in quantities to stations for distribution to political candidates at 4 cents a copy. Here is an ideal way to do a candidate a good turn and get some business for your station. *Send your order now!*

Engineering

"BROADCASTING UNDER WAR CONDITIONS"

The foregoing is the title of an article appearing in the August issue of ELECTRONICS. Written by J. B. Epperson, Chief Engineer, Scripps-Howard Radio, Inc., and Beverly Dudley, Acting Managing Editor, ELECTRONICS, the article gives a very clear exposition of many of the technical phases of war time broadcasting operation. We are grateful to ELECTRONICS and the authors for permission to reprint it. The article follows:

The effects of war conditions on the broadcast industry are demanding the most careful consideration of both operating and regulatory bodies at the present time. From the standpoint of technical operations these problems are primarily twofold, although additional factors sometimes enter to affect the operation of broadcast stations adversely. The main problems are: (1) difficulty in obtaining replacement tubes and repair parts due to the high priorities required, and (2) shortage of technical operators and engineers. Unless some way is devised to care for their future needs, broadcast stations may face eventual shutdown in cases of equipment failures.

The equipment and tube shortage is brought on because all manufacturers of transmitting equipment and tubes are extraordinarily affected by the war. All are carrying a heavy defense load, with the result that the A-10 priority rating formerly assigned to broadcasting for maintenance and repair became practically worthless for obtaining tubes and other equipment. Recognizing this condition, WPB issued its order P-129 on April 23, 1942, assigning an A-3 rating for critical materials needed for maintenance and repair. However, because of the increasing scarcity of critical materials, it appears that the A-3 rating is little better than the former A-10 rating when it comes to the purchase of transmitting tubes. This is borne out by the following extract from a form letter received from one tube manufacturer immediately after the P-129 order became effective:

> "The critical nature of many essential materials required in the manufacture of transmitting tubes is such as to make it impossible for us to replenish our stock under the A-3 rating. Under these circumstances we shall continue to supply tubes wherever possible against your orders when covered by the A-3 rating. We feel that you should be advised, however, that for reasons aforementioned, we can fill such orders only provided we have the materials available and we do not have any other unfilled orders bearing higher ratings. It will also be impossible for us to commit ourselves to definite delivery unless the preference rating be sufficiently high to enable us to use it in the purchase of additional materials."

With few exceptions, broadcast stations have managed to keep their equipment in a satisfactory operating condition, but this has been accomplished largely at the expense of reserve stocks of materials. There can be no doubt that the demands on equipment manufacturers have not yet reached their maximum and that it will be necessary to devise some way by which it will be possible to care for future demands of the industry.

Pooling Arrangement as Conservation Aid

To alleviate the shortage of equipment (especially tubes) and to assure that broadcast service will be maintained to the fullest, a "share the spare parts" program has been recommended by the Defense Communication Board (now the Board of War Communications). In brief, this proposal, released on May 24, calls for: (1) inventory of equipment of all stations, together with establishment of requirements of minimum equipment necessary to maintain operations, (2) establishment of conservation districts, each district to contain enough stations so that a representative stock of parts is available in each and to be presided over by a civilian administrator and two assistants, (3) the district administrator and his assistants will be charged with the checking and control of the inventory stock in his district and the redistribution, on a sales basis, of surplus equipment from one station to another.

Such a plan could operate only with the full cooperation of the broadcasters and this cooperation is assured by the fact that it originated with the broadcasters themselves and was prepared and submitted to the BWC by the Domestic Broadcasting Committee of the Board. It is believed that the operation should go a long way to relieve the priorities problem now confronting the 900-odd broadcasting stations in repair and maintenance materials.

It would appear that such a provision for conservation is not only ticklish in its administration, but is, at best, only a temporary stop-gap. There is evidence that not all station operators are fully behind this plan since, it is pointed out, the "share the spare parts" program penalizes the well managed, conservatively operated stations for the benefit of the less efficient stations. Another difficulty with this program as initially outlined is that it makes no provision for the replacement of parts which may be used up in normal operation. Under a system of this sort, it is conceivable that all the broadcasting services of the country could disintegrate simultaneously, like the "One Horse Shay."

The lack of parts is of little concern for many recently modernized stations, or those near metropolitan centers of supply, but it is an increasingly difficult problem for the stations in areas remote from production facilities. A number of stations are unable to obtain such spare parts as condensers, resistors, sockets, transformers or repair parts for their transmitters. Extension of audio line facilities is hampered, and portable and remote amplifying equipment once damaged will probably not be replaced. This situation is being faced as a matter-of-fact problem whose solution must, somehow, be obtained.

Many stations have instituted a complete house cleaning program in which broken and obsolete parts from used equipment have been repaired and reclaimed for future use, even if under restricted conditions. More rigid schedules of repair and maintenance are being enforced, and systematic maintenance is aided by assigning regular duties on a well planned time schedule. Most stations have reduced the filament voltage of tubes to obtain longer life, the amount of reduction being determined by limitations of audio distortion or power output. One station engineer reports that the life of tubes in his station has been increased from 4½ to 7 months through such a procedure.

With regard to tubes, many broadcast operators are caught between the sharp points of a two-horned dilemma. On the one hand they are required by the standards of good engineering practice to maintain an adequate supply of replacement tubes. On the other hand, the heavy demand on tube production for military services makes it difficult or impossible to conform to these regulations. To alleviate the situation somewhat, some stations are reclaiming old tubes previously regarded as unsuitable for operation, but which may be pressed into service under a program of restricted materials. Other stations have experimented with the repair of old tubes. Some engineers feel that too little attention is being given to the rebuilding of transmitting vacuum tubes as a war conservation measure. According to the statement of one company who has rebuilt several tubes, approximately 90 per cent of the defective transmitting tubes above 250 watts in size can be satisfactorily rebuilt. The cost of rebuilding a transmitting tube is ordinarily one-half that of a new tube of the same type. A rebuilt tube might even be better than a new one, providing the tube was originally built before substitute materials were employed.

Even more important than the shortages of tubes and other physical equipment is the shortage of technically qualified personnel for station operation. Through the exercise of additional maintenance and repair work, a station in normally good operating condition can be kept in satisfactory operation for a considerable length of time, with capable technical administration. But the technically trained operating and engineering personnel are vital to its operation and cannot be so easily replaced. Many stations are having difficulty in obtaining experienced technicians since so many have been absorbed by the various government services. The main difficulty arises from the necessity of placing inexperienced men in important positions, and the inability to find individuals with a background sufficiently adequate to become thoroughly trained in a short time.

Personnel Shortages, Too!

There is no blanket deferment from military service of men engaged in station operation. Indeed, the broadcast industry has contributed many of its best technical personnel to the Army, or Navy, to various government administrative agencies, or to technical teaching and research jobs, all of which further the country's war effort. Certainly no one makes such a change without the fullest desire to be of maximum assistance, while those left to carry on are performing equally valuable (if less publicized) work in the additional duties imposed upon them. But several stations have lost heavily of their technical personnel, and are unable to replace licensed operators. The loss of technical personnel does create a serious question as to how the normal services are to be maintained or even extended with an ever-decreasing technical staff.

There are several partial solutions to the problem of personnel; none are completely satisfactory. Control room operators having operator's licenses but no transmitter experience, have been transferred to the operation of the transmitter, and have, in turn, been replaced by persons less experienced. Qualified individuals who, for one reason or another, are not likely to be called into military service, have been used wherever possible. The shortage of personnel has, in some instances, led to outbidding by various stations for the services of those still available. However, a more frequent and self-reliant approach seems to be that of training personnel for broadcast jobs by the NYA or other agencies. In several cases women have been trained as control room operators. It is too early to draw definite conclusions from the few cases in which women have actually been engaged in control room work, although there are indications that qualified women operators are entirely capable of discharging control room duties properly.

Concern has been expressed by some station managers that the necessity for employing less experienced personnel may force a relaxation of standards of operation which could become permanent. Under such conditions, those technically trained men now leaving the broadcast industry might be expected to find other careers for themselves after "the duration." Nevertheless, the opinion is frequently expressed that relaxation of certain standards of good engineering practice, especially with regard to requirements as to distortion tolerances and time off the air, will help materially in easing the present problems.

Several stations, especially the smaller ones, complain of loss of revenue at a time when prices are rising and additional services are required of their operating personnel. The monitoring of key stations for blackout warnings is a problem for some stations who have already lost heavily of their operators and find themselves operating with shoestring personnel. Protection of the station against possible invasion or bombing attacks, fire, lightning, or acts of sabotage requires additional vigilance, especially of stations near the territorial limits of the United States. The need for emergency service equipment, in the event of failure of regular equipment, is recognized by foresighted operators, but again difficulty is encountered in obtaining the necessary priority ratings for engine-driven generators and similar equipment.

Broadcasting forms an integral and important part in the lives of all in the United States. It is a powerful and important factor in knitting together the nation as a unified whole. It is perhaps the most effective single method of disseminating propaganda in the dictionary sense of "tending to persuade by just discussion and argument." One has only to listen to an hour's radio program to be convinced of the importance broadcasting is playing in the building up of national solidarity, for each and every program makes its appeal for some cause or another which is intended to further our war effort. Only one important speech from Washington or London need be marred, through failure of strategically critical equipment or of inexperienced personnel to bring us forcefully to the realization that broadcasting must be maintained because it is so vital a cog in our vast war effort.

There is no use taking an alarmist's point of view with regard to the present situation, for those factors which are being recognized as potentially dangerous can be rectified in time to alleviate any serious disruption of service. Nevertheless, the problems confronting the broadcasting industry must be squarely faced immediately, so that steps may be taken to assure the industry that it will receive the personnel and equipment it requires to maintain its services.

PRIORITIES

Higher preference ratings to enable communications companies to obtain copper necessary for operating construction, maintenance and repair were granted Tuesday by the Director General for Operations of the War Production Board. The action was taken in amendments to Preference Rating Orders P-129 and P-130.

P-129 raises the rating for telephone, telegraph, cable and radio companies for copper from A-3 to A-1-j. Copper order M-9-a restricts deliveries of copper to A-1-k or higher and Tuesday's action enables these communications companies to obtain materials of copper in conformity with that order.

P-130 gives a similar rating for deliveries of copper necessary for operating construction by telephone companies, such as connection of subscribers, changes in central office equipment, and the like.

The A-3 rating continues in effect for supplies other than copper.

QUARTZ CRYSTALS

Radio broadcast stations can now secure replacements of defective, cracked or broken radio oscillators and filters and optical parts. Under amendment No. 1 to Order M-146 issued July 23, the WPB lifted restrictions on such replacements "in instruments directly used for war, public health, welfare or security". Radio broadcasting comes under "welfare", WPB advised NAB.

Under the terms of the order, purchasers of quartz crystals or parts containing them must file a certificate that the use of the crystals will conform to the purposes of the order. If, however, the purchaser is a U. S. agency or a foreign governmental agency, the certificate is not required.

Promotion

WAIM KNOWS WHO LISTENS

WAIM, Anderson, S. C., has just issued a sizable brochure on "Who Listens to WAIM".

It is a research in listening conducted for the station by the Medill School of Journalism, Northwestern University, Evanston, Ill. The brochure is replete with charts illustrating the findings of the investigators.

In a foreword, Wilton E. Hall, chief station executive, said:

> "We can think of nothing more useless than a radio station that has no listeners. When WAIM was built in 1935, we realized the fallacy of Emerson's better-mouse-trap theory and immediately set about to develop good programs and to carry them to the listeners of our area on the wings of enthusiastic public co-operation in every worth-while phase of broadcasting. We did not wait for listeners to come to us, nor did we wait for the organizations and institutions of this section to come and ask for our assistance. Instead, we rolled up our sleeves and resolved, first of all, to become a community asset second to none, and to serve well the people of our Piedmont section of North and South Carolina and Georgia; always to do twice as much as was expected of us as community leaders. This procedure was applied

with equal force to good entertainment features, alert local, national, and international news coverage, and to the wholehearted support of everything for the benefit of our section."

HERE'S HOW!

Walt Dennis, sales promotion manager, KVOO, Tulsa, has prepared, "HERE'S HOW to sell and serve an important market area."

The booklet, issued by the Tulsa Sales Executive Club, on July 10, was mailed to every manufacturer and wholesaler in the United States doing business with Tulsa stores and business firms.

TELL LISTENERS ABOUT FREE PAMPHLET

In an address on July 26, before the National Police Academy, Secretary of the Navy Knox pointed out that Axis sabotage and propaganda are being intensified in this country. Specifically, the Secretary said:

"We know that we can expect attack by sabotage, by spying, and by propaganda. These attacks have already begun. We know that this will be intensified and spread all over our country."

The Office of War Information will appreciate radio commentators and local stations throughout the country calling the remarks of the Secretary to the attention of their listeners and suggesting that as a means of equipping themselves to combat Axis propaganda, they get a free copy of the "Divide and Conquer" pamphlet recently issued by the Office of War Information.

Listeners should write directly to the Office of War Information, Washington, D. C.

Sales

PER INQUIRY AND FREE TIME

Carl Calman, Advertising-Promotion Manager of the Book-of-the-Hour Company, 395 Broadway, New York City, offers a P.I. deal on "Air Raid Protection and First Aid."

The Progressive Circulation Company, Inc., Hollywood, California, seeks a P.I. deal for the sale of Collier's Magazine.

The United Advertising Companies again offer a P.I. deal, this time on Champion Auto Alarm.

Listener Activities

CHILDREN'S PROGRAMS

The Radio Council of Louisville, Kentucky, under the leadership of Mrs. F. C. Linkenberg, President, has recently issued 10,000 bulletins with listings of good programs for children in that area, broadcast over Stations WHAS, WAVE, WINN and WGRC. The selections were made by the Research and Bulletin Committee of the Louisville Council.

The Council secured the cooperation of the Model Farms Dairy of Louisville and it is with their compliments that the release is printed.

Following are the programs selected for boys and girls:

Monday

1:30 p.m.	Open Book	WINN
7:00 p.m.	Cavalcade of America	WAVE
7:30 p.m.	Margaret Speaks	WAVE
8:30 p.m.	Dr. I. Q.	WAVE

Tuesday

11:30 a.m.	U. S. Marine Band	WGRC

Wednesday

7:00 p.m.	Nelson Eddy	WHAS
7:30 p.m.	Dr. Christian	WHAS
8:00 p.m.	Junior Miss	WHAS

Thursday

7:30 p.m.	Aldrich Family	WAVE

Friday

11:30 a.m.	Summer Playhouse	WGRC
7:00 p.m.	Cities Service Concert	WAVE
7:30 p.m.	Information Please	WAVE
8:00 p.m.	March of Time	WINN
8:30 p.m.	Brewster Boy	WHAS

Saturday

9:00 a.m.	Rainbow House	WGRC
9:30 a.m.	American Farmer 4-H Clubs	WHAS
10:00 a.m.	Lincoln Highway	WAVE
10:30 a.m.	U. S. Army Band	WGRC
10:30 a.m.	Let's Pretend	WHAS
10:30 a.m.	Little Blue Playhouse	WINN
11:00 a.m.	Growing in Safety	WINN
1:00 p.m.	U. S. Marine Band	WAVE
4:00 p.m.	Cleveland Symphony Orchestra	WHAS

Sunday

1:30 p.m.	Sunday's Children	WINN
2:00 p.m.	Columbia Symphony	WHAS
2:30 p.m.	Army Hour	WAVE
4:00 p.m.	Family Hour	WHAS
4:30 p.m.	Plays for Americans	WAVE
8:30 p.m.	American Album of Familiar Music	WAVE

Monday, Tuesday, Wednesday, Thursday, Friday

8:35 a.m.	Treasure Chest	WGRC
4:00 p.m.	Vic and Sade	WHAS

Labor

TALENT FEES

The trade press has been having a field day with the subject of talent fees and the Wage and Hour Act.

C. T. Lucy, WRVA, chairman of the NAB Wage and Hour Committee, discussed the whole matter at a meeting Monday with Joseph L. Miller, NAB director of labor relations.

It was decided that the NAB, as soon as possible, should send out to all members an authoritative bulletin on the subject. This will be done.

COST OF LIVING

The Labor Department reports that the cost of living increased 0.8 per cent between May 15 and June 15, and on June 15 was 11.3 per cent above June 15, 1941. It is now 116.4 per cent above the 1935-39 average.

AVERAGE COMPENSATION

The average pay envelope in broadcasting stations the week of October 12, 1941, executives excluded, contained $38.88, as compared with $37.75 the corresponding week of 1940. Network employees were not included.

Technicians that week received an average of $42.93; announcers, $36.76.

A complete breakdown of these FCC figures will be available within a few weeks.

CENSUS SHOWED 28,839,154 RADIO HOMES IN 1940

The U. S. Bureau of the Census issued today an advance release showing radio units by states, giving for the first time a total figure for all states. It shows that 82.8% of all occupied dwelling units were equipped with radio. The NAB projection of the total figure is 28,839,154. This figure is subject to revision when the by-county figures are released for the five states, New York, Pennsylvania, Ohio, Illinois, California.

The annual NAB estimate of radio homes in the United States at January 1, 1940, was 28,000,000 (NAB Reports, April 12, 1940, p. 4171). The preliminary Census figure which dates April, 1940, indicates that the January 1st estimate was in something approaching perfect alignment. The estimate of "Radio Today" in January, 1940, was 28.700,000, which for all practical purposes, was an accurate estimate.

The estimates of the Joint Committee on Radio Research, as of January 1, 1938, appear now to have been more accurate than was originally hoped. The total figure for the United States, 26,666,500, follows in perfect alignment with the annual estimates made for the industry and the 1940 Census figure indicates that no slight change in that trend is necessary.

The individual state estimates of the Joint Committee were not quite so accurate. Generally, the Joint Committee was too conservative in New England, Middle Atlantic, East North Central and West North Central states, insofar as percentage ownership was concerned. The Joint Committee figures were high, generally, for the South and Pacific Coast. A saving factor, however, was that the estimates of the Joint Committee of the total families in a number of cases were low, which offset the errors in per cent ownership, resulting in a figure of radio families not too far out of line.

The following table gives the figures of annual estimates which have been made available to the industry each year:

HOMES WITH RADIO SETS

Date		*Estimate*	*Census*
January 1,	1923	60,000	
"	1924	1,000,000	
"	1925	2,500,000	
"	1926	3,500,000	
"	1927	5,000,000	
"	1928	6,500,000	
"	1929	7,500,000	
"	1930	9,000,000	
April—	1930		12,048,762
January 1,	1931	12,000,000	
"	1932	14,000,000	
"	1933	16,810,000	
"	1934	20,402,000	
"	1935	21,456,000	
"	1936	22,869,000*	
"	1937	24,600,000	
"	1938	26,666,500*	
"	1939	27,500,000	
"	1940	28,000,000	
April—	1940		28,839,202**
January 1,	1941	29,300,000	
"	1942	30,600,000	

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* Joint Committee on Radio Estimates.

** NAB Preliminary projection from Census data.

RADIO HOMES IN THE UNITED STATES—1940

Estimated from 1940 U. S. Census of Housing Data. Number of Occupied Dwelling units and percent radio-equipped as reported by U. S. Census, and number of dwellings having radio estimated from Census data by projecting percent ownership to the number of units not answering the radio question, applied separately to Urban, Rural-Nonfarm and Rural-farm units for each county.

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
New England												
Maine	218,968	86.5	189,300	88,406	93.2	82,384	90,186	84.0	75,756	40,376	77.2	31,160
New Hampshire	132,936	90.0	119,664	75,355	93.3	70,288	41,550	86.9	36,087	16,031	82.9	13,289
Vermont	92,435	88.6	81,905	32,465	95.5	31,022	35,164	87.6	30,806	24,806	80.9	20,077
Rhode Island	187,706	95.7	179,652	171,236	96.1	164,515	13,860	92.6	12,835	2,610	88.2	2,302
Massachusetts	1,120,694	96.2	1,077,642	1,002,433	96.6	968,046	94,541	93.5	88,406	23,720	89.3	21,190
Connecticut	448,682	95.7	429,260	304,364	96.4	293,316	120,205	95.3	114,605	24,113	88.5	21,339
Middle Atlantic												
New York	3,662,113	95.5	3,498,737*	3,055,529	96.7	2,953,877*	423,279	92.4	391,207*	183,305	83.8	153,653*
New Jersey	1,100,260	95.5	1,050,612	899,637	96.2	865,508	167,675	93.2	156,229	32,948	87.6	28,875
Pennsylvania	2,515,524	92.4	2,323,918*	1,711,133	95.5	1,634,404*	595,341	88.7	527,940*	209,050	77.3	161,574*
East North Central												
Ohio	1,897,796	91.7	1,739,953*	1,291,248	95.1	1,227,352*	338,164	88.0	297,474*	268,384	80.2	215,127*
Indiana	961,498	88.2	848,325	541,073	93.5	505,704	208,010	85.6	177,944	212,415	77.5	164,677
Illinois	2,192,724	92.3	2,024,233*	1,633,017	95.3	1,555,836*	310,446	86.3	267,874*	249,261	80.4	200,523*
Michigan	1,396,014	93.4	1,304,149	924,913	96.4	891,661	252,211	90.9	229,348	218,890	83.7	183,140
Wisconsin	827,207	91.7	758,449	463,231	96.5	446,813	161,089	88.9	143,154	202,887	83.0	168,482

RADIO HOMES IN THE UNITED STATES—1940 — *Continued*

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
West North Central												
Minnesota	728,359	91.2	664,296	383,336	95.8	367,149	135,689	87.4	118,641	209,334	85.3	178,506
Iowa	701,824	90.2	633,168	312,393	93.7	292,724	161,077	87.6	141,059	228,354	87.3	199,385
Missouri	1,068,642	79.9	853,299	573,347	90.8	520,489	204,507	76.8	156,926	290,788	60.5	175,884
North Dakota	152,043	88.4	134,437	34,069	94.6	32,245	47,024	85.7	40,295	70,950	87.2	61,897
South Dakota	165,428	84.6	139,854	43,558	92.5	40,291	49,548	81.8	40,495	72,322	81.7	59,068
Nebraska	360,744	84.7	305,681	146,259	92.7	135,628	89,390	82.9	74,068	125,095	76.7	95,985
Kansas	511,109	83.0	424,457	224,314	90.4	202,770	128,059	82.4	105,543	158,736	73.2	116,144
South Atlantic												
Delaware	70,541	87.0	61,380	37,070	92.3	34,215	21,830	86.5	18,890	11,641	71.1	8,275
Maryland	465,683	88.1	410,164	286,505	93.4	267,652	124,112	84.4	104,655	55,066	68.7	37,857
District of Columbia	173,445	93.7	162,446	173,445	93.7	162,446	....	....	....	....	....	....
Virginia	627,532	67.1	421,078	244,105	84.0	205,124	174,219	67.6	117,801	209,208	46.9	98,153
West Virginia	444,815	75.1	334,239	140,556	89.7	126,098	192,771	75.4	145,265	111,488	56.4	62,876
North Carolina	789,659	61.8	487,353	239,917	77.7	186,386	217,703	67.6	147,035	332,039	46.4	153,932
South Carolina	434,968	49.6	215,636	123,503	67.1	82,831	126,119	60.0	75,509	185,346	30.9	57,296
Georgia	752,241	52.5	394,755	288,818	68.2	196,864	170,595	57.6	98,273	292,828	34.0	99,618
Florida	519,887	64.8	336,803	294,410	76.1	224,020	152,395	55.1	83,994	73,082	39.4	28,789
East South Central												
Kentucky	698,538	65.3	456,633	238,283	84.0	200,161	179,890	65.7	118,144	280,365	49.3	138,328
Tennessee	714,894	62.5	446,943	276,056	77.7	214,362	152,197	65.1	99,046	286,641	46.6	133,535
Alabama	673,815	49.4	332,776	227,309	69.7	158,305	157,226	54.5	85,651	289,280	30.8	88,820
Mississippi	534,956	39.9	213,312	120,360	61.5	74,048	95,920	50.9	48,834	318,676	28.4	90,430
West South Central												
Arkansas	495,825	50.9	252,148	123,528	72.4	89,442	111,636	53.7	59,891	260,661	39.5	102,815
Louisiana	592,528	53.3	315,261	262,927	72.6	190,789	136,615	52.5	71,689	192,986	27.3	52,783
Oklahoma	610,481	68.8	420,182	254,779	83.5	212,531	139,605	64.6	90,161	216,097	54.4	117,490
Texas	1,678,396	66.9	1,122,042	802,601	78.6	630,911	359,745	65.7	236,144	516,050	49.4	254,987
Mountain												
Montana	159,963	86.2	137,900	64,148	91.3	58,536	49,737	84.4	41,998	46,078	81.1	37,366
Idaho	141,727	86.4	122,471	50,774	91.3	46,353	41,235	84.1	34,689	49,718	83.3	41,429
Wyoming	69,374	84.4	58,531	27,332	91.5	25,003	22,842	83.2	19,011	19,200	75.7	14,517
Colorado	316,000	84.5	267,295	174,759	91.5	159,932	77,956	78.1	60,877	63,285	73.5	46,486
New Mexico	129,475	53.2	69,053	46,713	72.5	33,951	43,097	47.6	20,554	39,665	36.7	14,548
Arizona	131,133	69.0	90,394	48,924	82.4	40,328	55,813	69.3	38,646	26,396	43.3	11,420
Utah	139,487	92.4	128,923	81,758	95.0	77,679	37,115	90.2	33,465	20,614	86.3	17,779
Nevada	33,291	81.4	27,119	13,284	89.2	11,859	15,795	77.4	12,227	4,212	72.0	3,033
Pacific												
Washington	537,337	90.6	486,684	302,208	92.7	280,136	141,673	89.2	126,339	93,456	85.8	80,209
Oregon	337,492	88.7	299,226	172,560	93.1	160,599	92,667	86.1	79,811	72,265	81.4	58,816
California	2,138,343	92.9	1,987,416*	1,568,552	95.1	1,491,056*	393,950	88.5	348,498*	175,841	84.1	147,862*
United States	34,854,532	82.8	28,839,154†	20,596,500	91.9	18,923,639†	7,151,473	79.0	5,643,789†	7,106,559	60.2	4,271,726†

* Preliminary estimates calculated from U. S. Census advance release, "Home Radios: 1940," Series H-13, Number 1, which presents urban, rural-nonfarm, rural-farm, and total figures for each state. NAB will issue final estimates when the U. S. Census Bureau releases state figures by county.

† Preliminary—subject to correction of 5 states noted with asterisk.

NAB Research Department

July 27, 1942

TEXAS

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Anderson	9,643	53.6	5,176	3,536	73.3	2,591	1,726	61.2	1,057	4,381	34.9	1,528
Andrews	352	76.1	268	......	....	......	241	79.7	192	111	68.2	76
Angelina	8,525	59.6	5,091	2,803	73.9	2,071	2,643	60.3	1,593	3,079	46.3	1,427
Aransas	960	59.7	572	108	46.7	50	687	64.3	442	165	48.7	80
Archer	1,967	74.1	1,459	......	....	......	1,390	77.8	1,081	577	65.5	378
Armstrong	699	83.6	585	......	....	......	261	83.7	219	438	83.5	366
Atascosa	4,104	41.0	1,683	......	....	......	1,800	49.0	881	2,304	34.8	802
Austin	4,772	42.9	2,047	......	....	......	1,749	59.5	1,040	3,023	33.3	1,007
Bailey	1,592	65.4	1,042	......	....	......	504	68.4	345	1,088	64.1	697
Bandera	1,212	59.4	720	......	....	......	470	61.8	291	742	57.9	429
Bastrop	5,512	42.5	2,341	969	61.6	597	1,672	54.7	914	2,871	28.9	830
Baylor	2,025	67.9	1,375	952	76.4	727	130	62.6	81	943	60.1	567
Bee	3,971	56.6	2,246	1,746	65.1	1,136	790	60.9	481	1,435	43.8	629
Bell	12,145	66.6	8,081	5,304	77.1	4,087	1,673	67.8	1,134	5,168	55.3	2,860
Bexar	84,692	76.1	64,431	67,579	77.4	52,293	12,393	78.4	9,711	4,720	51.4	2,427
Blanco	1,159	64.7	750	......	....	......	362	76.6	277	797	59.3	473
Borden	344	63.2	217	......	....	......	43	61.5	26	301	63.4	191
Bosque	4,297	67.3	2,894	......	....	......	1,780	74.8	1,331	2,517	62.1	1,563
Bowie	13,432	58.2	7,829	5,041	75.0	3,783	2,125	55.6	1,182	6,266	45.7	2,864
Brazoria	6,507	63.2	4,112	1,350	90.0	1,216	2,811	68.0	1,912	2,346	41.9	984
Brazos	7,198	55.3	3,978	3,456	69.5	2,400	1,001	68.7	687	2,741	32.5	891
Brewster	1,626	53.6	869	977	61.8	604	369	37.7	139	280	45.0	126
Briscoe	1,066	66.1	704	......	....	......	465	74.8	348	601	59.2	356
Brooks	1,343	34.9	469	......	....	......	828	39.8	330	515	27.0	139
Brown	7,288	71.1	5,183	3,920	79.1	3,101	774	65.3	505	2,594	60.8	1,577
Burleson	4,679	35.9	1,681	......	....	......	1,583	54.3	859	3,096	26.6	822
Burnet	2,880	62.9	1,811	......	....	......	1,174	68.2	801	1,706	59.2	1,010
Caldwell	6,012	53.1	3,190	2,665	67.3	1,793	980	68.4	671	2,367	30.7	726
Calhoun	1,509	52.8	798	......	....	......	969	58.1	563	540	43.6	235
Callahan	3,140	63.9	2,009	......	....	......	1,391	73.7	1,026	1,749	56.2	983
Cameron	19,721	48.9	9,644	11,071	53.7	5,949	3,550	42.8	1,521	5,100	42.6	2,174
Camp	2,665	49.3	1,313	882	57.9	511	147	61.3	90	1,636	43.5	712
Carson	1,757	87.5	1,537	......	....	......	1,242	88.4	1,097	515	85.4	440
Cass	8,153	45.1	3,683	......	....	......	2,980	58.8	1,751	5,173	37.4	1,932
Castro	1,134	75.9	861	......	....	......	358	78.3	280	776	74.8	581
Chambers	2,097	65.2	1,367	......	....	......	1,580	68.0	1,074	517	56.7	293
Cherokee	10,603	50.2	5,337	2,908	69.3	2,015	1,869	51.3	959	5,826	40.6	2,363
Childress	3,321	72.5	2,407	1,877	77.8	1,461	228	71.2	162	1,216	64.5	784
Clay	3,403	64.4	2,193	......	....	......	1,557	67.5	1,051	1,846	61.9	1,142
Cochran	886	63.1	560	......	....	......	406	63.5	258	480	62.9	302
Coke	1,235	58.9	728	......	....	......	402	60.5	243	833	58.2	485
Coleman	5,457	67.9	3,704	1,668	74.2	1,238	1,052	67.0	704	2,737	64.4	1,762
Collin	12,968	71.0	9,017	2,533	77.8	1,971	2,139	72.3	1,547	8,026	68.5	5,499
Collingsworth	2,722	67.0	1,824	914	69.5	635	236	70.6	167	1,572	65.0	1,022
Colorado	4,716	45.1	2,128	......	....	......	2,423	56.8	1,376	2,293	32.8	752
Comal	3,305	65.1	2,149	1,966	73.5	1,445	365	58.5	214	974	50.3	490
Comanche	5,282	66.2	3,494	960	72.2	693	1,135	70.2	797	3,187	62.9	2,004
Concho	1,571	65.9	1,036	......	....	......	684	63.7	436	887	67.6	600
Cooke	6,376	74.7	4,763	2,725	79.2	2,158	534	74.2	396	3,117	70.9	2,209
Coryell	5,121	61.2	3,134	957	74.2	710	876	64.7	567	3,288	56.5	1,857
Cottle	1,900	66.2	1,258	787	74.0	582	52	58.8	31	1,061	60.8	645
Crane	806	81.7	657	......	....	......	764	82.3	629	42	67.6	28
Crockett	719	63.2	454	......	....	......	581	60.2	350	138	75.6	104
Crosby	2,654	72.2	1,915	......	....	......	1,112	71.9	799	1,542	72.3	1,116
Culberson	447	53.8	240	......	....	......	377	53.4	201	70	55.9	39
Dallam	1,732	78.2	1,354	1,184	83.6	989	179	68.3	122	369	65.7	243
Dallas	113,020	85.0	96,130	92,054	87.8	80,822	15,031	76.9	11,561	5,935	63.1	3,747
Dawson	3,990	68.4	2,730	1,634	70.5	1,151	284	56.9	162	2,072	68.4	1,417
Deaf Smith	1,600	81.5	1,304	738	86.7	640	128	70.8	91	734	78.0	573
Delta	3,347	69.1	2,311	738	80.2	592	573	59.8	343	2,036	67.6	1,376

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Denton	9,243	74.2	6,856	3,279	86.3	2,831	1,940	68.3	1,326	4,024	67.1	2,699
DeWitt	6,490	50.3	3,265	2,133	62.7	1,337	1,064	56.4	600	3,293	40.3	1,328
Dickens	2,020	67.4	1,363	......	....	......	833	75.3	627	1,187	62.0	736
Dimmit	1,909	37.9	726	......	....	......	1,252	34.8	435	657	44.3	291
Donley	1,996	75.7	1,511	......	....	......	983	77.1	758	1,013	74.3	753
Duval	4,718	50.0	2,360	1,244	54.0	672	2,000	71.4	1,428	1,474	17.7	260
Eastland	8,372	68.0	5,693	3,867	75.8	2,931	1,860	69.2	1,287	2,645	55.8	1,475
Ector	4,445	80.3	3,568	2,875	81.5	2,343	1,516	78.8	1,194	54	56.6	31
Edwards	779	63.5	494	......	....	......	361	66.3	239	418	61.1	255
Ellis	12,918	64.1	8,288	4,628	75.5	3,492	2,421	67.4	1,631	5,869	53.9	3,165
El Paso	31,604	73.1	23,088	24,831	77.5	19,244	4,643	58.2	2,703	2,130	53.6	1,141
Erath	5,830	62.2	3,622	2,232	79.1	1,766	490	53.1	260	3,108	51.3	1,596
Falls	8,857	47.5	4,203	1,815	62.4	1,132	2,015	49.3	993	5,027	41.3	2,078
Fannin	11,007	68.9	7,581	1,939	82.5	1,599	2,772	66.7	1,850	6,296	65.6	4,132
Fayette	7,555	42.5	3,209	772	69.5	536	1,812	59.3	1,074	4,971	32.2	1,599
Fisher	3,265	64.3	2,099	......	....	......	1,272	66.8	850	1,993	62.7	1,249
Floyd	2,814	76.6	2,156	809	78.6	636	456	72.7	332	1,549	76.7	1,188
Foard	1,386	65.4	908	......	....	......	641	66.1	425	745	64.8	483
Fort Bend	7,709	43.5	3,355	989	66.3	656	2,398	64.5	1,548	4,322	26.6	1,151
Franklin	2,255	61.3	1,383	......	....	......	709	66.8	473	1,546	58.8	910
Freestone	5,440	42.6	2,324	950	70.1	666	1,186	58.3	691	3,304	29.3	967
Frio	2,138	39.2	840	785	37.6	295	451	43.3	195	902	38.8	350
Gaines	2,243	69.9	1,570	973	78.2	761	768	70.5	541	502	53.5	268
Galveston	22,150	82.9	18,363	18,079	84.8	15,325	3,053	76.8	2,344	1,018	68.2	694
Garza	1,522	73.7	1,122	......	....	......	694	78.2	543	828	70.0	579
Gillespie	2,813	57.8	1,624	1,030	69.7	718	288	54.5	157	1,495	50.1	749
Glasscock	323	81.2	263	......	....	......	144	87.2	126	179	76.4	137
Goliad	2,087	37.8	789	......	....	......	674	52.0	351	1,413	31.0	438
Gonzales	6,266	46.7	2,930	1,171	61.9	725	1,253	57.3	718	3,842	38.7	1,487
Gray	6,763	86.0	5,816	3,810	87.8	3,345	2,239	86.3	1,933	714	75.4	538
Grayson	19,497	76.2	14,851	9,813	82.6	8,106	3,497	71.3	2,495	6,187	68.7	4,250
Gregg	16,287	69.8	11,368	7,466	75.5	5,640	7,311	70.0	5,118	1,510	40.4	610
Grimes	5,599	38.8	2,174	1,694	54.4	922	823	55.8	459	3,082	25.7	793
Guadalupe	6,240	50.1	3,127	1,896	65.1	1,234	865	61.1	528	3,479	39.2	1,365
Hale	5,056	78.8	3,982	2,361	84.0	1,984	797	75.1	599	1,898	73.7	1,399
Hall	3,208	63.8	2,049	1,127	69.6	785	702	59.8	420	1,379	61.2	844
Hamilton	3,705	64.1	2,372	837	81.7	683	735	61.0	448	2,133	58.2	1,241
Hansford	737	80.2	591	......	....	......	420	82.8	348	317	76.8	243
Hardeman	3,008	72.0	2,165	1,053	77.6	817	720	73.7	531	1,235	66.2	817
Hardin	4,228	56.8	2,397	735	66.6	490	2,108	60.8	1,281	1,385	45.2	626
Harris	146,403	82.4	120,628	115,028	85.9	98,791	23,666	73.1	17,289	7,709	59.0	4,548
Harrison	12,727	45.3	5,754	5,173	68.1	3,520	1,903	51.7	983	5,651	22.1	1,251
Hartley	478	82.3	394	68	98.5	67	151	87.8	133	259	75.0	194
Haskell	3,962	67.1	2,659	862	65.4	564	795	68.1	542	2,305	67.4	1,553
Hays	3,710	55.5	2,057	1,601	66.2	1,060	610	58.9	359	1,499	42.5	638
Hemphill	1,137	72.6	825	......	....	......	715	77.5	554	422	64.2	271
Henderson	8,069	53.2	4,296	1,386	72.2	1,000	2,027	61.2	1,241	4,656	44.1	2,055
Hidalgo	23,782	44.4	10,554	11,543	48.0	5,545	4,263	36.4	1,552	7,976	43.3	3,457
Hill	10,317	62.9	6,489	2,291	71.1	1,629	2,681	66.0	1,769	5,345	57.8	3,091
Hockley	3,179	72.6	2,308	834	74.5	621	398	69.6	277	1,947	72.4	1,410
Hood	1,803	56.5	1,020	......	....	......	607	67.9	412	1,196	50.8	608
Hopkins	8,002	63.6	5,087	1,973	74.4	1,468	1,032	63.6	656	4,997	59.3	2,963
Houston	7,733	37.6	2,905	1,359	59.3	806	1,066	56.6	603	5,308	28.2	1,496
Howard	5,440	78.7	4,280	3,413	80.6	2,751	962	78.3	753	1,065	72.9	776
Hudspeth	815	43.6	355	......	....	......	430	55.4	238	385	30.4	117
Hunt	13,314	74.1	9,862	5,484	82.3	4,512	2,032	71.6	1,455	5,798	67.2	3,895
Hutchinson	5,289	88.0	4,655	2,892	83.6	2,417	1,859	93.8	1,743	538	92.0	495
Irion	562	63.2	355	......	....	......	363	59.2	215	199	70.6	140
Jack	2,758	60.4	1,664	......	....	......	1,364	72.5	989	1,394	48.4	675
Jackson	2,846	55.2	1,571	779	66.8	521	698	60.3	421	1,369	46.0	629
Jasper	4,351	45.4	2,021	949	61.6	584	1,465	47.3	693	1,937	38.4	744
Jeff Davis	580	48.1	279	......	....	......	419	46.0	193	161	53.5	86
Jefferson	39,163	80.0	31,338	28,600	80.5	23,024	8,788	80.4	7,064	1,775	70.4	1,250
Jim Hogg	1,216	47.9	583	......	....	......	959	53.9	517	257	25.5	66
Jim Wells	4,735	50.3	2,383	1,946	62.2	1,211	868	47.0	408	1,921	39.8	764

TEXAS—*Continued*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Johnson	8,623	70.6	6,082	3,208	78.8	2,527	1,931	71.8	1,386	3,484	62.3	2,169
Jones	6,179	69.0	4,271	1,325	78.4	1,038	2,013	70.1	1,411	2,841	64.1	1,822
Karnes	4,240	42.1	1,788	756	58.1	439	979	52.1	510	2,505	33.5	839
Kaufman	9,200	58.9	5,416	3,002	70.7	2,123	2,027	54.6	1,107	4,171	52.4	2,186
Kendall	1,507	57.6	868	......	....	......	665	60.5	402	842	55.3	466
Kenedy	134	24.6	33	......	....	......	50	30.2	15	84	21.7	18
Kent	874	57.9	505	......	....	......	306	63.9	195	568	54.6	310
Kerr	3,135	71.8	2,252	1,540	79.9	1,230	641	68.9	441	954	60.9	581
Kimble	1,368	65.2	893	......	....	......	686	65.2	447	682	65.3	446
King	267	80.1	214	......	....	......	98	79.6	78	169	80.4	136
Kinney	897	47.9	430	606	45.3	275	95	46.2	44	196	56.6	111
Kleberg	3,227	61.9	1,999	2,035	66.9	1,362	539	57.5	310	653	50.0	327
Knox	2,560	63.9	1,635	......	....	......	1,191	69.4	826	1,369	59.1	809
Lamar	13,048	61.5	8,027	5,250	75.3	3,952	1,932	59.5	1,149	5,866	49.9	2,926
Lamb	4,567	70.2	3,206	1,044	68.3	713	888	72.2	641	2,635	70.3	1,852
Lampasas	2,673	67.8	1,812	1,041	68.5	713	461	60.1	308	1,171	67.6	791
LaSalle	1,898	30.1	570	864	32.1	277	444	27.3	121	590	29.2	172
Lavaca	6,612	43.1	2,862	794	74.1	588	1,574	59.2	932	4,244	31.6	1,342
Lee	3,048	39.5	1,205	......	....	......	973	61.1	594	2,075	29.5	611
Leon	4,457	36.0	1,602	......	....	......	1,276	59.1	754	3,181	26.7	848
Liberty	6,405	52.4	3,365	904	73.1	661	3,356	57.6	1,934	2,145	35.9	770
Limestone	8,866	52.1	4,622	1,884	64.3	1,211	2,175	61.5	1,338	4,807	43.1	2,073
Lipscomb	1,002	80.4	805	......	....	......	517	82.2	425	485	78.5	380
Live Oak	2,256	51.8	1,169	......	....	......	870	66.1	575	1,386	42.8	594
Llano	1,695	67.9	1,152	767	68.2	523	208	58.0	121	720	70.5	508
Loving	86	84.0	72	......	....	......	72	82.6	59	14	91.7	13
Lubbock	13,819	82.1	11,345	9,697	84.2	8,165	1,287	77.6	998	2,835	77.0	2,182
Lynn	3,085	57.0	2,221	......	....	......	1,158	71.5	828	1,927	72.3	1,393
McCulloch	3,498	68.0	2,380	1,412	75.3	1,063	618	60.1	371	1,468	64.4	946
McLennan	27,326	71.2	19,443	16,689	78.0	13,014	4,606	68.9	3,174	6,031	54.0	3,255
McMullen	364	54.4	198	......	....	......	146	54.1	79	218	54.6	119
Madison	3,050	32.5	991	......	....	......	1,004	46.1	463	2,046	25.8	528
Marion	2,843	34.7	982	812	55.4	450	332	45.5	151	1,699	22.4	381
Martin	1,370	63.0	863	......	....	......	373	71.4	266	997	59.9	597
Mason	1,514	69.3	1,050	......	....	......	726	66.4	482	788	72.0	568
Matagorda	5,302	50.2	2,665	1,881	63.6	1,195	1,611	53.2	857	1,810	33.8	613
Maverick	2,171	41.6	903	1,385	41.4	573	374	42.3	158	412	41.8	172
Medina	3,872	51.5	1,995	......	....	......	1,822	52.6	958	2,050	50.6	1,037
Menard	1,225	67.0	821	......	....	......	711	63.7	453	514	71.7	368
Midland	3,323	74.2	2,467	2,715	77.5	2,103	105	65.7	69	503	58.7	295
Milam	8,272	48.5	4,024	1,415	62.7	887	1,858	59.6	1,107	4,999	40.6	2,030
Mills	2,150	62.0	1,333	......	....	......	657	67.6	444	1,493	59.6	889
Mitchell	3,332	66.9	2,226	1,466	70.2	1,029	440	69.8	307	1,426	62.4	890
Montague	5,433	64.9	3,528	1,779	81.9	1,458	1,121	67.3	755	2,533	51.9	1,315
Montgomery	6,009	50.0	3,006	1,343	64.3	864	2,165	54.0	1,169	2,501	38.9	973
Moore	1,204	89.9	1,083	......	....	......	1,078	89.2	962	126	95.8	121
Morris	2,426	41.5	1,011	......	....	......	869	55.1	479	1,557	34.2	532
Motley	1,325	65.1	863	......	....	......	644	64.2	413	681	66.1	450
Nacogdoches	8,829	49.7	4,419	2,151	75.7	1,629	2,332	49.3	1,150	4,346	37.7	1,640
Navarro	13,502	58.7	7,924	4,490	73.0	3,279	2,823	61.2	1,728	6,189	47.1	2,917
Newton	3,254	36.1	1,177	......	....	......	1,544	50.6	781	1,710	23.0	396
Nolan	4,644	75.2	3,487	2,811	77.5	2,179	677	72.1	488	1,156	71.0	820
Nuecces	23,993	65.7	15,753	17,147	70.4	12,076	3,591	60.8	2,185	3,255	45.8	1,492
Ochiltree	1,136	85.8	974	......	....	......	688	87.4	601	448	83.3	373
Oldham	353	90.3	318	......	....	......	229	91.4	209	124	88.1	109
Orange	4,598	65.7	3,022	2,060	70.3	1,448	1,316	58.0	764	1,222	66.3	810
Palo Pinto	5,116	74.8	3,814	1,862	89.1	1,660	1,808	66.5	1,203	1,446	65.8	951
Panola	5,357	38.7	2,078	......	....	......	1,418	56.9	807	3,939	32.3	1,271
Parker	5,612	62.6	3,510	1,788	77.4	1,384	1,009	58.2	587	2,815	54.7	1,539
Parmer	1,504	78.1	1,175	......	....	......	542	77.3	419	962	78.6	756
Pecos	2,029	65.6	1,332	786	64.5	507	754	78.5	592	489	47.6	233
Polk	5,163	47.1	2,432	......	....	......	2,878	58.4	1,680	2,285	32.9	752
Potter	15,047	91.5	13,773	13,986	91.7	12,826	733	88.5	649	328	90.8	298
Presidio	2,187	37.4	816	898	54.7	491	892	27.1	242	397	20.9	83
Rains	1,800	53.9	970	......	....	......	469	56.8	266	1,331	52.9	704

County	All Units Units	All Units % Radio	All Units Radio Units	Urban Units Units	Urban Units % Radio	Urban Units Radio Units	Rural-Nonfarm Units Units	Rural-Nonfarm Units % Radio	Rural-Nonfarm Units Radio Units	Rural-Farm Units Units	Rural-Farm Units % Radio	Rural-Farm Units Radio Units
Randall	2,011	87.6	1,763	1,273	91.9	1,169	73	87.1	64	665	79.8	530
Reagan	568	87.2	496	......	....	......	482	87.0	420	86	88.1	76
Real	660	50.8	335	......	....	......	321	46.8	150	339	54.6	185
Red River	7,491	50.5	3,778	1,191	67.9	808	1,489	53.2	792	4,811	45.3	2,178
Reeves	2,049	60.2	1,232	1,265	66.3	839	423	56.6	239	361	42.6	154
Refugio	2,617	64.1	1,674	1,057	67.3	711	896	75.8	679	664	42.8	284
Roberts	360	83.2	300	......	....	......	200	86.5	173	160	79.4	127
Robertson	6,291	41.0	2,578	963	65.2	628	1,646	52.8	869	3,682	29.4	1,081
Rockwall	1,953	60.1	1,177	......	....	......	871	72.8	634	1,082	50.2	543
Runnels	4,922	70.7	3,483	1,188	72.4	860	1,266	72.7	921	2,468	69.0	1,702
Rusk	12,971	57.2	7,406	1,969	68.4	1,346	5,918	71.5	4,230	5,084	36.0	1,830
Sabine	2,736	39.3	1,080	......	....	......	1,015	52.0	528	1,721	32.1	552
San Augustine	2,926	32.3	939	......	....	......	708	53.1	376	2,218	25.4	563
San Jacinto	2,296	21.0	483	......	....	......	663	30.4	202	1,633	17.2	281
San Patricio	7,129	58.7	4,192	2,673	66.0	1,763	2,098	62.8	1,317	2,358	47.2	1,112
San Saba	2,883	62.9	1,813	817	68.5	559	597	53.1	317	1,469	63.8	937
Schleicher	845	62.0	523	......	....	......	453	62.1	281	392	61.9	242
Scurry	3,090	68.3	2,109	1,118	73.5	821	347	66.2	230	1,625	65.1	1,058
Shackelford	1,701	77.1	1,312	......	....	......	1,173	77.9	914	528	75.5	398
Shelby	7,395	44.0	3,253	897	69.9	627	1,521	48.6	739	4,977	37.9	1,887
Sherman	540	81.6	441	......	....	......	292	85.8	249	248	77.2	192
Smith	18,089	64.2	11,613	8,037	82.1	6,597	3,623	68.0	2,465	6,429	39.7	2,551
Somervell	834	52.4	436	......	....	......	353	63.2	223	481	44.3	213
Starr	2,555	25.7	658	......	....	......	1,670	35.2	587	885	8.1	71
Stephens	3,568	72.5	2,591	1,777	78.6	1,396	940	70.5	663	851	62.5	532
Sterling	399	73.7	295	......	....	......	250	75.1	188	149	71.5	107
Stonewall	1,367	60.1	821	......	....	......	438	69.1	303	929	55.8	518
Sutton	1,022	56.1	573	632	58.6	370	74	33.8	25	316	56.3	178
Swisher	1,768	81.9	1,446	......	....	......	856	87.9	752	912	76.1	694
Tarrant	64,512	83.2	53,708	52,815	85.5	45,156	6,964	74.9	5,214	4,733	70.5	3,338
Taylor	11,757	80.3	9,444	7,450	87.0	6,479	2,117	74.1	1,569	2,190	63.8	1,396
Terrell	753	52.3	395	......	....	......	579	51.4	298	174	55.6	97
Terry	2,863	70.0	2,004	1,112	74.4	827	196	77.2	151	1,555	66.0	1,026
Throckmorton	1,134	66.7	756	......	....	......	489	67.5	330	645	66.1	426
Titus	5,085	55.4	2,819	1,314	66.8	878	1,152	76.3	755	2,619	45.3	1,186
Tom Green	10,503	75.6	7,936	7,233	79.8	5,775	1,614	62.5	1,009	1,656	69.6	1,152
Travis	28,070	73.5	20,627	22,519	78.9	17,775	1,864	60.5	1,128	3,687	46.8	1,724
Trinity	3,358	43.8	1,468	......	....	......	1,584	52.1	825	1,774	36.2	643
Tyler	2,942	48.0	1,412	......	....	......	1,208	58.0	701	1,734	41.0	711
Upshur	6,484	52.8	3,427	934	67.3	629	1,502	63.2	949	4,048	45.7	1,849
Upton	1,263	81.4	1,028	781	80.6	629	397	84.1	334	85	76.2	65
Uvalde	3,356	54.2	1,819	1,641	52.4	859	819	53.1	435	896	58.6	525
Val Verde	3,664	52.7	1,931	3,084	52.9	1,632	173	46.2	80	407	53.8	219
Van Zandt	7,996	63.4	5,072	......	....	......	2,723	74.5	2,029	5,273	57.7	3,043
Victoria	6,189	62.2	3,847	3,294	72.7	2,396	943	54.9	518	1,952	47.8	933
Walker	4,562	44.8	2,039	1,000	81.0	810	1,389	47.0	653	2,173	26.5	576
Waller	2,739	36.6	999	......	....	......	1,105	51.6	570	1,634	26.2	429
Ward	2,612	70.5	1,842	1,139	77.8	886	1,133	74.3	841	340	33.9	115
Washington	6,624	35.6	2,367	1,912	65.7	1,256	628	39.4	248	4,084	21.1	863
Webb	10,025	44.5	4,465	8,523	45.9	3,912	642	62.3	400	860	17.8	153
Wharton	9,314	51.4	4,790	2,468	72.5	1,789	2,249	59.9	1,347	4,597	36.0	1,654
Wheeler	3,232	70.4	2,276	895	80.2	718	904	74.4	673	1,433	61.8	885
Wichita	19,954	82.2	16,407	15,423	84.3	13,009	3,081	75.2	2,317	1,450	74.6	1,081
Wilbarger	5,478	75.7	4,146	2,663	77.8	2,073	858	85.7	735	1,957	68.4	1,338
Willacy	3,106	44.0	1,369	1,008	52.3	527	615	44.4	273	1,483	38.3	569
Williamson	10,962	59.8	6,558	3,326	72.9	2,425	2,252	63.0	1,419	5,384	50.4	2,714
Wilson	3,872	39.0	1,512	......	....	......	1,384	51.9	719	2,488	31.9	793
Winkler	1,763	77.7	1,370	750	75.6	567	969	80.0	775	44	62.8	28
Wise	5,140	62.5	3,220	758	78.6	596	1,575	65.4	1,030	2,807	56.8	1,594
Wood	6,274	58.2	3,651	933	68.9	643	1,606	66.6	1,070	3,735	51.9	1,938
Yoakum	1,494	68.1	1,017	......	....	......	1,232	70.7	871	262	55.7	146
Young	5,179	72.5	3,753	2,473	83.4	2,062	972	67.0	651	1,734	60.0	1,040
Zapata	859	20.0	171	......	....	......	613	25.6	157	246	5.8	14
Zavala	2,439	31.1	760	1,327	32.0	424	268	39.7	107	844	27.1	229
State Total	1,678,396	66.9	1,122,042	802,601	78.6	630,911	359,745	65.7	236,144	516,050	49.4	254,987

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Abilene	Taylor	7,450	87.0	6,479
Amarillo	Potter	14,479	91.9	13,305
Austin	Travis	22,519	78.9	17,775
Beaumont	Jefferson	16.199	77.6	12,568
Corpus Christi	Nueces	15,608	72.6	11.335
Dallas	Dallas	84,091	87.1	73,218
El Paso	El Paso	24,831	77.5	19.244
Fort Worth	Tarrant	51,620	85.5	44,111
Galveston	Galveston	16,474	84.8	13,968
Houston	Harris	107,530	85.7	92,165
Laredo	Webb	8,523	45.9	3.912
Lubbock	Lubbock	8,674	84.9	7,364
Port Arthur	Jefferson	12,401	84.3	10,450
San Angelo	Tom Green	7,233	79.8	5,775
San Antonio	Bexar	65,745	76.8	50,505
Tyler	Smith	8,037	82.1	6,597
Waco	McLennan	15,870	78.5	12,465
Wichita Falls	Wichita	13,057	84.6	11,048

NAB Research Department

July 22, 1942

FEDERAL COMMUNICATIONS COMMISSION

FCC MONITORING

By action of the FCC on July 28 the name of the Foreign Broadcast Monitoring Service was changed to Foreign Broadcast Intelligence Service. It was believed that the term "monitoring" describes the single operation of listening, whereas the service also involves news intelligence and news analyses.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 3. They are subject to change.

Tuesday, August 4

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Modification of C. P. for extension of completion date to 8-17-42, under C. P. only; **1200 kc.,** 250 watts. Amplifier stations: 100 watts, unlimited.

Thursday, August 6

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—C. P., **1070 kc.,** 5 KW night, 10 KW day, unlimited, DA-night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KGHI—Arkansas Broadcasting Co., Little Rock, Ark.—Granted construction permit (B3-P-3495) to install a new transmitter (replacement for present equipment). (Unqualified recommendation by FCC Inspector that present equipment is obsolete and new transmitter on hand.)

KOVC—KOVC, Inc., Valley City, N. Dak.—Granted modification of license (B4-ML-1131) for changes in antenna. (Use 65 foot antenna in lieu of 150 foot antenna partially destroyed by storm.) Granted on applicant's representations that an appropriate application will be made for authority to install an antenna in accordance with the Standards of Good Engineering Practice as soon as it is feasible to obtain the necessary materials and construct the same.

WARK—Summit Radio Corp., Akron, Ohio.—Granted modification of license to operate with 5 KW power, non-directional daytime.

KGEI—General Electric Co., San Francisco, Calif.—Granted modification of license for international broadcast station to add frequencies **7250, 9550** and **15210 kc.,** on condition that authorization for these frequencies may be deleted at any time without advance notice or hearing (B5-MLIB-54). Same, for addition of frequency **11730 kc.** (B5-MLIB-55).

W65H—WDRC, Inc., Hartford, Conn.—Granted request for waiver of the requirements of Section 3.261 of the Commission's Rules (regarding minimum operating schedule); station to continue to operate only from 6 p. m. until midnight.

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Granted modification of license authorizing unlimited time operation and cancelled the outstanding Special Service Authorization.

DESIGNATED FOR HEARING

KTRH Broadcasting Co., Houston, Tex.—Designated for hearing application for construction permit for Portable-Mobile relay station to operate on **1606, 2074, 2102** and **2758 kc.,** with 50 watts power (B3-PRY-276). Same, B3-PRE-426, to operate on frequencies **30820, 33740, 35820** and **37980 kc.** with 3 watts power.

Houston Printing Corp., Houston, Tex.—Designated for hearing application for construction permit for new relay broadcast station to operate on frequencies **1646, 2090, 2190** and **2830 kc.,** 100 watts power (B3-PRY-274).

Larus and Brother Co., Inc., Richmond, Va.—Designated for hearing application for construction permit for new relay broadcast station to operate on **1646, 2090, 2190** and **2830 kc.,** 40 watts power (B2-PRY-277). Same, B2-PRY-275, with power of 35 watts.

W. A. Patterson, Chattanooga, Tenn.—Designated for hearing application for construction permit for new relay broadcast station to operate on frequencies **1622, 2058, 2150** and **2790 kc.,** with power of 35 watts (B3-PRY-278).

WHEC, Inc.—Designated for hearing application for construction permit for new relay broadcast station to operate on frequencies **30820, 35820** and **37980 kc.,** with 30 watts power (B1-PRE-427).

WBNY—WBNY-Brooklyn, Inc., Brooklyn, N. Y.—Designated for hearing application for modification of license to move main studio from 1 Nevins St., Brooklyn, to 132 West 43rd St., New York, N. Y. (B1-ML-1126).

K51L—St. Louis University, St. Louis, Mo.—Designated for hearing application for extension of time for completion of construction of FM station (B4-MPH-109).

LICENSE RENEWALS

KGB—Don Lee Broadcasting System, San Diego, Calif.—Granted renewal of license for the period August 1, 1942, to not later than October 1, 1944 (B5-R-38).

WSMB—WSMB, Inc., New Orleans, La.—Granted renewal of license for the period August 1, 1942, to not later than October 1, 1944 (B3-R-448).

WBNX—WBNX Broadcasting Co., Inc., New York, N. Y.—Granted extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than September 1, 1942 (B1-S-250).

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Granted extension of license upon a temporary basis only, pending receipt and determination upon application for renewal of license, in no event later than October 1, 1942 (B1-S-270). (For auxiliary transmitter.)

Granted renewal of license of following stations for the period August 1, 1942, to not later than December 1, 1942:

KTBS and auxiliary, Shreveport, La.; WOKO and auxiliary, Albany, N. Y.

Granted renewal of license of following stations for the period August 1, 1942, to not later than August 1, 1944:

KHJ and auxiliary, Los Angeles, Calif.; KOMO and auxiliary, Seattle, Wash.; WSUI, Iowa City, Iowa.

MISCELLANEOUS

WDEL—WDEL, Inc., Wilmington, Dela.—Granted modification of construction permit as modified, for increase in power, install new transmitter and install directional antenna for day and night use, for extension of completion date from July 20, 1942, to September 19, 1942 (B1-MP-1607).

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted modification of construction permit as modified, for increase in power, change in hours of operation, move of transmitter, install new transmitter and install directional antenna for night use, for extension of completion date from August 6, 1942, to November 4, 1942 (B2-MP-1606).

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Granted license to cover construction permit for move of former RCA 1-G main transmitter to location of new main transmitter and use as an auxiliary transmitter, employing directional antenna day and night (B1-L-1685).

WSUI—The State University of Iowa, Iowa City, Iowa.—Granted license to cover construction permit for increase in power and changes in directional antenna for day and night use and authority to determine operating power by direct method (B4-L-1687; B4-Z-1419).

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted authority to determine operating power by direct measurement of antenna power on special service authorization (B5-Z-1418).

KEGA—Earle C. Anthony, Inc., Portable-Mobile, area of Los Angeles, Calif.—Granted license to cover construction permit for changes in equipment and increase in power of relay broadcast station (B5-LRE-420).

KAOY—Don Lee Broadcasting System, Portable-Mobile, area of Los Angeles, Calif.—Granted modification of construction permit as modified for new relay broadcast station, for extension of commencement and completion dates only, from September 1, 1941, and February 28, 1942, to February 28, 1942, and August 27, 1942, respectively (B5-MPRE-54).

WJSM—United Broadcasting Co., Cleveland, Ohio.—Granted license to cover construction permit which authorized new relay broadcast station (B2-LRE-411).

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Granted modification of construction permit as modified, for increase in power, change hours of operation, install new transmitter and directional antenna for night use, and move transmitter, for extension of completion date from August 30 to November 30, 1942 (B5-MP-1598).

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kans.—Granted modification of construction permit as modified, which authorized new experimental television broadcast station, for extension of completion date from July 15, 1942, to January 15, 1943 (B4-MPVB-85).

WMHC—Textile Broadcasting Co., Greenville, S. C.—Granted authority to make changes in automatic frequency control equipment (B3-F-248).

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of construction permit as modified, which authorized new equipment and increase in power, for changes in equipment and extension of commencement and completion dates from July 7, 1940, and August 1, 1942, to 30 days after date of grant and 90 days thereafter, respectively (B5-MP-1803).

WJW—WJW, Inc., Akron, Ohio.—Granted modification of construction permit as modified, which authorized new transmitter and directional antenna for day and night use, change frequency, increase power, and move transmitter, for change in type of transmitter and extension of commencement and completion dates from July 17, 1942, and January 13, 1943, to 30 days after grant and 60 days thereafter, respectively (B2-MP-1600).

KGLO—Mason City Globe-Gazette Co., Mason City, Iowa.—Granted modification of construction permit, which authorized changes in directional antenna, install new transmitter, and increase power, for change in type of transmitter.

KITE—First National Television, Inc., Kansas City, Mo.—Granted petition to continue hearing on application for renewal of license; hearing continued until September 3, 1942. (Docket No. 6300.)

A. M. Burton, Nashville, Tenn.—Upon consideration of petition, dismissed without prejudice application for construction permit for new station. (Docket 6109.)

WAPO—W. A. Patterson, Chattanooga, Tenn.—Denied petition for grant of application for construction permit to increase nighttime power from 1 KW to 5 KW, using directional antenna; and set forth issues upon which the application will be heard. (Docket 6291.)

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted modification of construction permit, which authorized increase in night power and changes in directional antenna, for extension of completion date from July 24, 1942, to October 25, 1942 (B2-MP-1616).

Beauford H. Jester, Waco, Tex.—On the Commission's own motion, ordered that the issues heretofore released on application for construction permit for new station be supplemented; present hearing date retained. (Docket 6218.)

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—On the Commission's own motion, ordered that Issues Nos. 2 and 3 of the issues heretofore released on application for construction permit be stricken; present hearing date retained. (Docket 6267.)

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted motion for extension of time within which to file proposed findings now due August 4, 1942, to August 11, 1942, in re applications of WGAR, Cleveland, Ohio (Docket 6309), WHBC, Canton, Ohio (Docket 6310), and WADC, Akron, Ohio (Docket 6311).

H. Ross Perkins and J. Eric Williams, d/b as New Haven Broadcasters, New Haven, Conn.—Granted petition for dismissal without prejudice application for construction permit for new station. (Docket 6355.)

Sacandago Broadcasting Corp., Gloversville, N. Y.—Granted petition for dismissal without prejudice application for construction permit for new station. (Docket 6299.)

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted petition to dismiss without prejudice application for construction permit. (Docket 6284.)

WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Granted petition to dismiss without prejudice application for construction permit. (Docket 6343.)

Hugh Francis McKee, Portland, Ore.—Granted petition to dismiss without prejudice application for new station. (Docket 6356.)

Capital City Broadcasting Co., Inc., Topeka, Kans.—Granted petition to dismiss without prejudice application for new station. (Docket 6358.)

WHAS—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted petition to dismiss without prejudice application for construction permit to operate on **840 kc.**, with 750 KW, unlimited. (Docket 6348.)

APPLICATIONS FILED AT FCC

550 Kilocycles

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Modification of construction permit (B5-P-3068) which authorized increase in daytime power and installation of new transmitter for extension of completion date indefinitely from 8-16-42.

590 Kilocycles

WKZO—WKZO, Inc., Kalamazoo, Mich.—Modification of construction permit (B2-P-3281) which authorized increase in night power and changes in directional antenna for extension of completion date from 7-25-42 to 10-25-42.

610 Kilocycles

WSGN—The Birmingham News Co., Birmingham, Ala.—License to cover construction permit (B3-P-3440) which authorized increase in daytime power and change in equipment.

690 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of construction permit (B4-P-2477 as modified), which authorized installation of new transmitter, move transmitter, directional antenna for day and night use, increase in power and change in hours of operation for extension of completion date from 7-30-42 to 9-30-42.

930 Kilocycles

NEW—Edwin A. Kraft, Ketchikan, Alaska.—License for new standard broadcast station to be operated on **930 kc.**, 1 KW, unlimited time. (Facilities assigned to KGBU.)

1190 Kilocycles

WLIB—WLIB, Inc., Brooklyn, N. Y.—License to use formerly licensed main transmitter as an auxiliary using 250 watts power.

1240 Kilocycles

WSNY—Western Gateway Broadcasting Corp., Schenectady, N. Y. —License to cover construction permit (B1-P-2690 as modified), for new standard broadcast station.

WSNY—Western Gateway Broadcasting Corp., Schenectady, N. Y. —Authority to determine operating power by direct method.

WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—Transfer of control of licensee corporation from W. E. Benns, Jr., Mrs. W. E. Benns, Sr., Fred S. Mellor, T. F. Skinner and W. E. Benns, Sr., to Ronald B Woodyard (150 shares).

1290 Kilocycles

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Modification of construction permit (B3-P-2944 as modified), which authorized installation of directional antenna for night use and increase in night power, requesting extension of completion date from 8-15-42 to 10-15-42.

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100 as modified), which authorized installation of directional antenna for day and night use and increase in night power requesting extension of completion date from 8-16-42 to 9-16-42.

1330 Kilocycles

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter, install directional antenna for night use and move transmitter. Amended: re changes in directional antenna.

1360 Kilocycles

KSCJ—Perkins Bros. Co. (The Sioux City Journal), Sioux City, Iowa.—Modification of license to change corporate name to Perkins Brothers Company.

1450 Kilocycles

KGIW—E. L. Allen, Alamosa, Colo.—License to cover construction permit (B5-P-3220) for increase in power from 100 watts to 250 watts and installation of new transmitter.

1510 Kilocycles

WLAC—J. T. Ward, d/b as WLAC Broadcasting Co., Nashville, Tenn.—Modification of construction permit (B3-P-1250 as modified), which authorized installation of new transmitter, directional antenna for night use, increase power and move transmitter requesting extension of completion date from 8-1-42 to 9-1-42.

1590 Kilocycles

WAKR—Summit Radio Corp., Akron, Ohio.—Modification of construction permit (B2-P-3038 as modified), which authorized increase in power, changes in directional antenna for night use only, and installation of new transmitter for extension of completion date from 9-1-42 to 11-1-42.

FM APPLICATION

W59NY—Interstate Broadcasting Co., Inc., New York, N. Y.—Modification of construction permit (B1-PH-109 as modified), which authorized construction of new high frequency broadcast station requesting extension of required date of completion from 8-17-42 to 2-17-43.

MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs originating in NBC's studios at Rockefeller Plaza, New York, and/or points in U. S. where network programs may originate to CMX, Havana, Cuba, for the period beginning 8-20-42.

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Modification of construction permit (B5-P-2804 as modified), which authorized increase in power and installation of directional antenna, new transmitter and move transmitter requesting extension of completion date from 8-2-42 to 9-2-42.

WLAB—Larus and Brother Co., Inc., Richmond, Va.—Modification of construction permit (B2-PRE-418) which authorized construction of new relay broadcast station requesting changes in transmitting equipment and decrease in operating power from 100 watts to 31.4 watts.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Blue Ridge Coal Co., Inc., 1212 West North Ave., Baltimore, with coal yards in South Washington, Va., Washington, D. C., and Baltimore, is charged in a complaint with misrepresentation in the sale of coal. (4787)

Red Cross Shoe Company—Misuse of the American National Red Cross name and emblem for commercial purposes in the sale and distribution of shoes is charged in a complaint against United States Shoe Corp., also trading as Red Cross Shoe Co., Cincinnati. The respondent company has branch factories at Chillicothe, Greenfield, and Harrison, Ohio. (4786)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Agricultural Insecticide & Fungicide Association, New York, and 26 manufacturers of agricultural insecticides, fungicides and related products, and 11 officers and directors of the association. have been ordered to cease and desist from certain practices, including price fixing, having the tendency and effect of restraining and suppressing competition in the sale and distribution of their products. (4145)

National Lacquer Manufacturing Co., and trading as National Titanium Co., 2330 East 37th St., Vernon, Calif., has been ordered to cease and desist from misrepresentation in the sale of paints. (4088)

United Diathermy, Inc., 100 West 42nd St., New York, engaged in the sale and distribution of an electrical device designated "United Short Wave Diathermy", has been ordered to cease and desist from false advertising and misrepresentation of its product. (4453)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Samuel Berg Co., 49 East 21st St., New York, engaged in the sale and distribution of upholstery fabrics, stipulated to discontinue the use of the word "SUNFAST," or other words of similar import, to describe or refer to a fabric which changes or loses color or otherwise deviates from its original color when exposed to the light of the sun. (3512)

B. E. Sanders, Inc., Tulsa, Oklahoma, engaged in selling a permanent wave solution designated "Floating Oil-of-Castor", has stipulated that it will cease representing that its preparation is a new type of permanent wave solution, will nourish the hair, or contains less ammonia than is contained in other permanent wave solutions. The respondent further agrees to cease representing that the preparation is sold by means of a special, introductory or limited offer, and, by use of the words "Floating Oil-of-Castor" in the designation of its product, that the oil ingredient of the preparation is composed principally of castor oil. (03028)

Sun-Ra Co., Gloucester, Mass., engaged in selling "Sun-Ra Vitamin Ointment," has stipulated to cease representing that the preparation is a remedy, treatment or cure for eczema, or has any therapeutic value in the treatment of psoriasis, insect bites, abrasions or skin irritations in excess of having a limited value in the treatment of bites of non-venomous insects and in the relief of minor abrasions and skin irritations; that the preparation is healing; that it contains boric acid, or that it does not contain harmful ingredients. (03026)

Waterbury Pen Co., and Radio Advertising Service, 706 Insurance Center, Chicago, engaged in selling Waterbury Fountain Pens, entered into a stipulation in which he agrees to discontinue using the name "Waterbury" in connection with or as part of the trade name for his fountain pens; representing that the pens are manufactured by a nationally known manufacturer or that he manufactures such pens or actually owns or controls the factory or plant in which they are manufactured; or representing that his fountain pens are sold at a lower price than is customary, or at an introductory price or as a special offer, when the indicated price is the usual and regular price at which the pens are customarily sold. (03025)

Western Natural Foods Co., 1518 Second Avenue, Seattle, Wash., engaged in selling medicinal preparations designated "Kema Tablets" and "Kema Tea," has stipulated to discontinue representing that either of his products is of value in bringing about weight reduction or as an accessory or supplemental food or dietary aid or has any significant food value; that either of the products supplies mineral colloids essential to hydrolysis, saponification, oxidation or elimination of fat; that Kema Tea is of value in keeping organs of elimination in proper working order, or that either of the products is harmless. (03027)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 31, August 7, 1942

NBC Joins NAB

Niles Trammell, NBC President, in his letter transmitting NBC's application for membership in NAB, stated that this action was taken in recognition of the majority sentiment expressed by the NAB membership at the Cleveland convention. He pledged whole-hearted cooperation through NAB in meeting industry problems. His letter and the reply of President Neville Miller follow:

Trammell's letter—

"I am transmitting to you with this letter a signed application for network membership for the National Broadcasting Company in the National Association of Broadcasters.

"At the recent convention of the Association in Cleveland, I stated the position of our company relative to network membership as being, first, that we saw no particular need for this type of membership; second, that we were opposed to mandatory placement of a network representative of our company on the Board of Directors of the Association; and third, that we considered the dues for such membership to be unduly excessive.

"I wish to state that our views relative to the foregoing are unchanged.

"The Cleveland convention, however, through its democratic processes voted against the position I took and in applying for membership now I am doing so because I feel it advisable to abide by the decision of the Association.

"As I have stated many times it is our sincere wish to do everything in our power to contribute to harmony in the ranks of the broadcasters. We are subordinating our own views to those evidenced by the large majority of NAB members and are accepting their desire that we become network members with the hope that we can thus make a contribution to industry peace and cooperation.

"I still feel very strongly that the network companies, and NBC in particular, are paying too high a proportion of the total dues which support the NAB. I trust that this situation can be rectified. I also think it would be more desirable to have network membership on the Board of Directors only if such representative is elected by the Association through normal procedures.

"I would be less than frank if I did not acquaint you with my concern over the lack of unity existing in the Association today. I feel that immediate steps should be taken to create, develop and maintain a strong, cohesive association in the broadcasting industry, to adequately gather together and represent all of the group interests. The present differences in the ranks of the broadcasters, with many voices speaking in Washington for them, has led to confusion and ineffectiveness for the entire industry, and this situation demands prompt correction. It is our desire to cooperate fully to achieve industry objectives."

Miller's reply—

"I am delighted to acknowledge receipt of your recent letter enclosing application of NBC for membership in the NAB. I shall present this to our Board at its next meeting at which time I also shall call the Board's attention to your views as expressed in your letter.

"The dues schedule for networks is based on volume of business similar to the dues schedule for stations. Last fall when we discussed the various methods for determining network dues, we all agreed that this was the proper method, and I was under the impression that the schedule as adopted met with your approval.

AFM Bulletin

All news relative to the developments in the AFM situation are covered in AFM Bulletin No. 3, mailed with this week's REPORTS.

"Regarding network representation on the Board, the By-Laws covering this subject have been changed twice during the past few years, and if you desire to propose an amendment in accordance with the views expressed in your letter, I know the membership will gladly consider it.

"The lack of unity within the industry to which you refer has existed, but I believe it has in many cases been more vocal than real. The membership of the NAB on the whole has been loyal and there have been but few resignations. There have been some differences of opinion as to policies, but all policies of the NAB have been decided by the Board only after full discussion. Many who rightfully claim under our democratic process the right to express their views seem to fail to recognize any obligation to abide by the decision of the majority. Therefore, I especially appreciate the spirit behind your action as evidenced by your statement that though your views remain unchanged you feel it advisable to abide by the decision of the Association. I am sure this action on your part will contribute to industry, peace and cooperation, and I hope others who have disagreed with NAB policies will follow your example. Certainly at a time such as this, we need to devote all our energies to winning the war.

"You may rest assured that I shall do all within my power to promote a strong Association truly representative of all interests. I am delighted that we shall have the support and cooperation of your organization."

HAGGERTY AGAIN

On Monday, John B. Haggerty, president of the International Allied Printing Trades Council, appeared before the Senate Finance Committee and again requested a discriminatory tax on radio time sales so that current radio advertising revenue will be diverted to printed media. It was similiar to the proposal he made before the House Ways and Means Committee on April 14, without results, and before the Finance Committee last summer, which NAB was successful in killing.

NAB's position is on record with the Ways and Means Committee and will shortly be presented again to the Senate Finance Committee.

Sales

According to NEWSWEEK (August 3) Radio Station KFEL in Denver, recently surveyed the radio tastes of some 25,000 soldiers at Lowry Field, Fitzsimons General Hospital, and Fort

(Continued on page 478)

NAB Reports
The National Association of Broadcasters
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

SALES

(Continued from page 477)

Logan. It found at least one radio to every barracks, while many had between 10 and 40, each of which was listened to by between 50 and 150 men. As for their tastes: "Variety programs are any sponsor's best bet in the evenings . . . Heavy stuff doesn't interest them . . . They've got enough drama in their own lives what with a war to be fought . . . Good music is a rare choice. They want 'gut-bucket' swing by the masters . . . They like to hear Army talent, but they don't want to hear Army brass hats making speeches."

P-I DEALS

The Van De Mark Advertising Agency of Cincinnati asks a P-I deal on Foto Color.

The Charles H. Mayne Company, Los Angeles, seeks P-I business on a Civilian First Aid Kit.

The Radio Training Association of America, Youngstown, Ohio, is soliciting information from radio stations, stating that they are interested in placing some advertising at a cost-per-inquiry basis.

All of these parties have been written to the effect that P-I deals are not consistent with the ethics of advertising and have been asked to use radio at regular advertising rates.

Programs for Victory

Swap Broken Records for New

WCAU, Philadelphia, is doing a big business in broken records, according to Kenneth W. Stowman, director of station promotion.

In cooperation with the American Legion in the Philadelphia metropolitan area, WCAU is inducing listeners to donate old, scratched, cracked and broken discs. The money raised will be used to buy new records for fighting men.

Ten thousand records were collected on the opening night of the campaign, August 4.

Here's the Plan

WCAU Mobile Bandstand makes tour of neighborhoods. Ross Mulholland and his "Moonlit Music Hall", and the "Swanee Singers" provide entertainment. Legion posts in each locality are on hand to greet the roving unit with bands or drum and bugle corps. That's the ballyhoo of Old Stager, Ken Stowman.

The plan is for two stops at 8 and 9:30 p.m. on the 4th, 5th, 6th, 12th and 13th of August. Three stops are scheduled August 11—eight, nine and ten p.m.

KVOO Recruits Destroyer Crew

KVOO became one of Uncle Sam's accredited Navy "recruiters" July 18 when the station sponsored "Navy Victory Day" in which an attempt was made to recruit 125 men, complement of a destroyer crew.

The station featured a full schedule of spot announcements and four special broadcasts, two half hours and two 15-minutes, spread over the day. State and district Naval recruiting officers took the program time in "round tables" and in interviews to explain all phases of Naval recruiting and what the Navy offered young American men and older men, too.

Climax of the day was a mass induction ceremony in an evening half hour broadcast of approximately 75 men enlisted during the day. Remainder of the program was taken up with a round table at which Naval officers reported the day's results.

Counting actual enlistments and applications, more than 130 recruits joined up to make the day an outstanding success inasmuch as the quota for that day for the entire state was only 40 men. "The effects of the day's programs over KVOO will be felt for a long while to come," Lieut. F. F. Adams, state recruiting officer, told KVOO Program Director Eddie Coontz, in commenting on the station's fine job.

Atlantic Charter Day—August 14

Radio Bureau of Office of War Information has mailed all stations a kit of material for use in the promotion of Atlantic Charter Day, August 14.

Inspection of this material indicates that it will be exceedingly helpful to stations participating in the day's observance. Attention is called to three important points which need to be stressed at this time."

(1) The Four Freedoms and what the Charter means in concrete terms to the man in the street.

(2) The fact that the Atlantic Charter is world-wide in scope.

(3) The importance of the United Nations Idea in winning the peace as well as winning the war.

Anti-Sabotage Campaign

William Wise, president, KWBW, Hutchinson, Kansas, is engaged in an anti-sabotage campaign of his own, with the full sanction of the Hutchinson police department and the city council. An announcement has been running daily since August 1, indicating that a $50 war bond will be paid for information leading to the arrest and conviction of enemies of the United States engaged in subversive activities and sabotage. The announcement continues: "If you suspect anyone of plotting sabotage—keep the information to yourself and report to the proper police authorities in your town or communicate with Chief of Police, Marion Scott of the Hutchinson Police Dept. Stamp out the Axis. Keep your eyes and ears open for saboteurs."

The Peoria Bond Plan

From the pool of ideas that are submitted by aggressive broadcasters will come ideas for improvements in selling bonds and stamps. As indicated before, reports of local plans are solicited from stations.

Here is the way WMBD, Peoria, is conducting its campaign according to a letter from Vernon Nolte, program director.

Bank Is Issuing Agent

"In order to avoid all the extra bookkeeping and devote all of our time to the actual sales, WMBD contacted one of our very best clients and one of the most progressive financial institutions in the city, Peoples Federal Savings & Loan Association and requested them to be our issuing agent. They readily agreed and so every bond and stamp that is sold over WMBD, goes through the hands of Peoples Federal.

"We started our Bond Selling Campaign Thursday night, July 30, with a one hour program from 8:00 to 9:00 o'clock. This program featured all of the station talent and a little talk by Edgar Bill, president of WMBD, a representative from Peoples Federal Savings & Loan Association, telegrams from the Governor of the State of Illinois and the Congressman and all sales were made direct by telephone. Our inaugural program sold over $5,000 worth of Bonds and Stamps in one hour and this morning as I write this letter, more and more orders are coming in by mail.

Broadcast Promotions

"In addition to this one hour program every Thursday night, we are devoting our entire morning farm period, 5:45-6:45 to the sale of bonds, with our farm director, Farmer Bill. Also two special programs every afternoon and a program, a half hour show, 10:30-11 every night, handled by a different personality announcer each evening. This 10:30 program is in the spirit of competition and our announcers and personalities try to outdo each other in selling the most bonds. The man who wins, having the most sales for any one week, will receive a special award which hasn't been decided upon as yet.

Sells Bonds 3 Ways: Stamps 2 Ways

"That in brief is our program schedule for the sale of Bonds. In checking with Peoples Federal Savings & Loan Association, we found that we were in a position to sell bonds in three different ways and stamps in two different ways. We have a special form made out, that our telephone operators and receptionists fill out upon the receipt of an order. On bonds, we will either mail them C.O.D., await the arrival of a check and mail the bond registered mail, or the bond may be picked up and paid for at the WMBD Tank Booth in front of our building. On stamps, we will either mail the stamps out on receipt of the cash or the stamps may be paid for and picked up at the WMBD Tank Booth.

Government Pays for C.O.D.'s

"Incidentally, the Government is standing the cost of the C.O.D. and I think that is a point that other stations may be able to work out in their own communities.

Tank Booth

"At this writing, our Tank Booth is not yet completed, but we expect to have it erected within a very few days. This booth is an exact replica of a United States Army M-3 Tank. complete with guns, gun turrets, tractor treads and everything. It is made and molded out of wood and the sides are plate glass. The dimensions are approximately 8'x16'x10'. This tank is air conditioned in summer, heated in the winter. Telephone will be installed and of course a microphone. We are planning to have our various personalities appear in this Tank Booth at various times of the day, and perhaps we will also take some news broadcasts from there."

TO THE MARINES

Edward C. Coontz, program director, KVOO, Tulsa, has joined the Marine Corps. When he gets the signal he expects to leave for Quantico as a member of the Candidates Class.

MICHIGAN

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Alcona	1,412	83.0	1,171	......	....	......	520	84.3	438	892	82.2	733
Alger	2,486	77.8	1,932	1,071	89.0	953	829	66.1	548	586	73.5	431
Allegan	11,676	88.3	10,305	2,343	93.9	2,199	3,158	91.0	2,874	6,175	84.7	5,232
Alpena	5,217	82.6	4,307	3,359	91.2	3,065	384	69.9	268	1,474	66.1	974
Antrim	2,958	73.7	2,180	......	....	......	1,557	78.7	1,226	1,401	68.1	954
Arenac	2,358	74.0	1,744	......	....	......	822	82.9	681	1,536	69.2	1,063
Baraga	2,389	81.2	1,938	659	91.4	602	845	77.6	656	885	76.9	680
Barry	6,592	88.3	5,824	1,662	95.7	1,590	1,518	89.7	1,362	3,412	84.2	2,872
Bay	19,325	92.8	17,930	12,787	95.8	12,246	2,884	91.5	2,639	3,654	83.3	3,045
Benzie	2,208	82.5	1,822	......	....	......	1,230	88.8	1,092	978	74.6	730
Berrien	25,332	91.4	23,150	11,800	95.0	11,206	6,547	91.6	5,999	6,985	85.1	5,945
Branch	7,713	89.8	6,928	2,257	94.7	2,138	2,070	90.2	1,866	3,386	86.4	2,924
Calhoun	26,817	94.1	25,227	16,893	95.5	16,129	5,673	94.9	5,384	4,251	87.4	3,714
Cass	6,508	86.4	5,627	1,542	94.5	1,457	2,041	84.8	1,731	2,925	83.4	2,439
Charlevoix	3,513	80.3	2,821	800	88.0	704	1,518	83.0	1,260	1,195	71.7	857
Cheboygan	3,441	76.2	2,625	1,477	85.9	1,269	730	76.7	560	1,234	64.5	796
Chippewa	6,725	84.8	5,699	3,811	94.3	3,594	1,387	72.2	1,001	1,527	72.3	1,104
Clare	2,451	80.4	1,973	......	....	......	1,227	88.1	1,081	1,224	72.8	892
Clinton	7,255	91.2	6,615	1,311	93.5	1,226	2,192	92.2	2,021	3,752	89.8	3,368
Crawford	947	79.6	754	......	....	......	825	82.2	678	122	62.0	76
Delta	8,724	86.0	7,509	5,240	92.6	4,852	1,922	76.4	1,468	1,562	76.1	1,189
Dickinson	7,506	90.4	6,782	5,478	92.5	5,070	1,402	84.2	1,181	626	84.9	531
Eaton	9,982	91.2	9,103	3,831	94.1	3,604	2,049	91.0	1,865	4,102	88.6	3,634
Emmet	4,209	77.2	3,252	1,648	91.4	1,506	1,282	73.8	946	1,279	62.5	800
Genessee	60,380	95.5	57,660	41,568	96.4	40,056	12,573	94.4	11,870	6,239	91.9	5,734
Gladwin	2,397	81.8	1,961	......	....	......	773	87.5	677	1,624	79.1	1,284
Gogebic	8,091	89.8	7,263	5,479	93.4	5,117	1,661	83.5	1,387	951	79.8	759
Grand Traverse	5,842	85.6	5,002	3,456	91.8	3,174	618	80.8	499	1,768	75.2	1,329
Gratiot	8,831	86.7	7,662	2,825	93.5	2,641	1,804	85.0	1,533	4,202	83.0	3,488
Hillsdale	8,576	87.1	7,475	1,987	94.2	1,871	2,373	89.6	2,127	4,216	82.5	3,477

MICHIGAN—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Houghton	12,554	90.6	11,377	3,716	94.8	3,523	7,111	91.2	6,484	1,727	79.4	1,370
Huron	8,069	86.7	6,994	696	96.0	668	2,630	91.9	2,418	4,743	82.4	3,908
Ingham	36,894	95.7	35,306	25,069	97.0	24,311	7,917	94.1	7,451	3,908	90.7	3,544
Ionia	9,535	90.0	8,583	3,138	94.3	2,960	2,804	90.0	2,523	3,593	86.3	3,100
Iosco	2,347	83.3	1,952	......	....	......	1,493	90.0	1,343	854	71.3	609
Iron	5,237	85.3	4,466	1,932	88.1	1,703	2,404	85.2	2,049	901	79.3	714
Isabella	6,693	86.2	5,769	2,301	92.7	2,134	975	84.2	821	3,417	82.4	2,814
Jackson	25,148	94.3	23,707	14,416	96.0	13,842	6,591	94.1	6,204	4,141	88.4	3,661
Kalamazoo	27,564	95.0	26,175	14,867	96.0	14,278	9,056	95.6	8,657	3,641	89.0	3,240
Kalkaska	1,363	71.1	969	......	....	......	611	73.9	452	752	68.8	517
Kent	69,220	94.9	65,723	48,821	95.9	46,840	14,061	94.5	13,293	6,338	88.2	5,590
Keweenaw	1,070	81.6	873	......	....	......	991	82.7	819	79	68.4	54
Lake	1,454	62.9	915	......	....	......	715	63.0	450	739	62.9	465
Lapeer	7,402	90.5	6,699	1,139	96.2	1,095	2,310	91.1	2,105	3,953	88.5	3,499
Leelanau	2,145	72.4	1,553	......	....	......	842	81.9	690	1,303	66.2	863
Lenawee	214,835	91.7	13,608	5,065	95.8	4,853	4,542	91.5	4,155	5,228	88.0	4,600
Livingston	5,710	92.0	5,251	1,130	96.1	1,086	1,885	93.0	1,752	2,695	89.5	2,413
Luce	1,488	74.5	1,103	672	90.7	610	585	57.5	336	231	67.8	157
Mackinac	2,362	75.9	1,793	679	83.6	568	1,153	75.1	866	530	67.6	359
Macomb	27,509	95.8	26,357	12,523	96.7	12,110	10,634	94.7	10,068	4,352	96.0	4,179
Manistee	5,230	86.1	4,504	2,591	94.4	2,446	1,133	86.1	975	1,506	71.9	1,083
Marquette	12,077	89.7	10,833	8,290	94.4	7,824	2,717	80.7	2,193	1,070	76.3	816
Mason	5,441	86.4	4,695	2,558	93.4	2,390	780	82.7	645	2,103	79.0	1,660
Mecosta	4,631	82.8	3,835	1,448	89.1	1,290	726	82.8	601	2,457	79.1	1,944
Menominee	6,373	87.5	5,583	2,791	96.1	2,682	1,201	83.2	1,000	2,381	79.8	1,901
Midland	6,930	88.4	6,129	2,696	96.7	2,606	1,836	87.0	1,597	2,398	80.3	1,926
Missaukee	1,997	72.0	1,440	......	....	......	652	77.4	505	1,345	69.5	935
Monroe	15,122	92.6	14,003	4,759	93.7	4,457	5,688	93.6	5,324	4,675	90.3	4,222
Montcalm	8,352	85.4	7,133	1,603	93.5	1,499	2,416	88.0	2,127	4,333	80.9	3,507
Montmorency	972	69.6	676	......	....	......	441	71.3	314	531	68.3	362
Muskegon	25,774	94.4	24,324	17,496	96.3	16,844	5,687	91.6	5,211	2,591	87.6	2,269
Newaygo	5,366	80.0	4,295	747	95.0	710	1,263	83.1	1,049	3,356	75.6	2,536
Oakland	66,587	96.7	64,389	37,377	97.7	36,510	24,313	96.0	23,339	4,897	92.7	4,540
Oceana	4,128	79.0	3,262	......	....	......	1,684	86.9	1,463	2,444	73.6	1,799
Ogemaw	2,267	72.7	1,649	......	....	......	1,050	75.8	796	1,217	70.1	853
Ontonagon	2,939	83.4	2,452	......	....	......	1,681	87.1	1,464	1,258	78.5	988
Osceola	3,574	79.4	2,836	......	....	......	1,484	85.7	1,272	2,090	74.8	1,564
Oscoda	667	72.9	486	......	....	......	380	78.4	298	287	65.5	188
Otsego	1,375	71.2	979	......	....	......	787	77.0	606	588	63.4	373
Ottawa	16,075	94.8	15,240	7,425	97.7	7,253	3,880	95.0	3,687	4,770	90.1	4,300
Presque Isle	2,759	75.2	2,076	735	91.3	671	844	73.9	623	1,180	66.2	782
Roscommon	1,102	77.2	851	......	....	......	847	78.6	666	255	72.7	185
Saginaw	34,542	93.1	32,143	22,386	95.4	21,366	5,913	92.0	5,440	6,243	85.5	5,337
St. Clair	20,691	94.0	19,456	11,157	96.0	10,713	4,605	93.1	4,285	4,929	90.4	4,458
St. Joseph	9,501	89.8	8,532	4,165	95.0	3,955	2,568	90.1	2,315	2,768	81.7	2,262
Sanilac	7,999	87.1	6,968	......	....	......	2,641	91.0	2,403	5,358	85.2	4,565
Schoolcraft	2,366	83.0	1,963	1,362	89.6	1,200	581	72.6	422	423	75.8	321
Shiawassee	11,353	92.3	10.484	4,887	95.3	4,656	2,523	92.6	2,336	3,943	88.6	3,492
Tuscola	9,302	84.9	7,892	947	93.3	883	2,778	90.1	2,504	5,577	80.8	4,505
Van Buren	10,573	87.4	9,237	1,464	96.9	1,418	3,786	90.3	3,418	5,323	82.7	4,401
Washtenaw	22,198	96.1	21,332	12,749	97.2	12,398	5,593	95.6	5,346	3,856	93.0	3,588
Wayne	522,414	97.0	506,958	503,093	97.1	488,490	15,298	96.0	14,683	4,023	94.1	3,785
Wexford	4,877	84.0	4,100	2,739	92.4	2,530	711	82.5	587	1,427	68.9	983
State Total	1,396,014	93.4	1,304,149	924,913	96.4	891,661	252,211	90.9	229,348	218,890	83.7	183,140

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Ann Arbor	Washtenaw	9,194	97.9	9,002
Battle Creek	Calhoun	12,874	95.6	12,313
Bay City	Bay	12,787	95.8	12,246
Dearborn	Wayne	16,061	98.3	15,782
Detroit	Wayne	425,547	97.0	412,747

Flint	Genesee	40,567	96.4	39,097
Grand Rapids	Kent	47,523	95.8	45,549
Hamtramck	Wayne	11,546	96.5	11,147
Highland Park	Wayne	14,221	97.9	13,917
Jackson	Jackson	14,416	96.0	13,842
Kalamazoo	Kalamazoo	14,867	96.0	14,278
Lansing	Ingham	22,481	96.9	21,782
Muskegon	Muskegon	13,271	96.5	12,807
Pontiac	Oakland	17,252	96.5	16,652
Port Huron	St. Clair	9,138	95.7	8,745
Royal Oak	Oakland	6,612	98.9	6,539
Saginaw	Saginaw	22,386	95.4	21,366
Wyandotte	Wayne	7,649	97.7	7,474

NAB Research Department July 30, 1942

FEDERAL COMMUNICATIONS COMMISSION

The FCC early this week received an announcement from Tulsa, Okla., of the death of Walter D. Humphrey, one of its principal attorneys, on August 1st.

Mr. Humphrey was born March 5, 1876 in Onslow County, North Carolina. He was a pioneer Oklahoma lawyer and for about 8 years was a member of the Oklahoma Corporation Commission. He was one of the organizers of the Oklahoma Tax Commission, and was a member of that Commission for 4 years. Originally lived in Nowata, Oklahoma.

Came to the FCC February 25, 1935. Surviving are his wife and two daughters in Tulsa, Oklahoma, and a sister, Mrs. Abee, of Washington, D. C.

On August 1 the FCC took over the operation of the Columbia Broadcasting System's listening post in San Francisco, chairman James Lawrence Fly announced at his press conference on Monday.

He stated that the listening post has been in operation for a considerable period and recently had been operated in cooperation with the Office of War Information. Mr. Fly said, however, that it was thought best to combine the various listening services and so CBS facilities were made available to the Commission. Mr. Fly explained that it will be useful to the Commission by increasing the coverage of the Pacific area. The Commission is not taking over ownership of the station, just operation.

A transmitter vacuum tube industry advisory committee has been appointed at WPB as follows:

Frank H. McIntosh, Chief of the Radio Section, is the Government Presiding Officer.

Committee members are:

W. W. Eitel,
Eitel-McCullough, Inc.,
San Bruno, California.

Rex L. Munger,
Taylor Tubes, Inc.,
Chicago, Illinois.

St. George Lafitte,
Federal Telegraph Co.,
Newark, New Jersey.

Henry C. Bonfig,
RCA Manufacturing Co.,
Camden, New Jersey.

S. Norris,
Amperex Electronics, Inc.,
Brooklyn, New York.

H. D. Wilson,
Western Electric Co.,
New York City.

C. E. Wilson,
General Electric Co.,
Schenectady, New York.

Roy Burlew,
Ken-Rad Tube & Lamp Co.,
Owensboro, Kentucky.

FCC States Policy for Licensing High Frequency (FM) and (ST) Broadcast Stations

Because war conditions have caused great shortages in materials, equipment and skilled personnel necessary to radio broadcasting, the FCC has announced that holders of construction permits for new frequency modulation (FM) radio stations may obtain licenses during the war to operate presently existing facilities, provided construction has reached a point where the transmitter is capable of rendering a substantial public service. FM broadcasters securing licenses under this policy will have to show that additional construction is not possible at this time and must assure the Commission that construction will be completed according to Rules, Regulations and Standards of the FCC as soon as the required materials and engineering personnel have become available.

According to FCC records there are 5 licensed FM stations now in operation. Twenty-three stations are operating under special temporary authorization pending completion of construction in accordance with the construction permits. Upon appropriate application these would receive licenses to replace the special temporary authorizations. An additional 7 stations are now conducting program tests and have filed applications for operating licenses. The new policy under which the FCC will consider applications for operating licenses on the basis of partial construction probably will affect also 20 other holders of FM construction permits. Six permittees now building studio transmitter links (ST), which connect with station transmitters, would come under the policy. Applicants for new facilities however are barred, except under special circumstances, by an earlier "freeze" policy announced in the Memorandum Opinion of April 27, 1942, which recognized the necessity for conserving critical materials and banned new grants for FM as well as most other types of broadcast radio.

The Commission observes that the Communications Act does not contemplate extensions of time within which to complete construction unless it appears that construction can be completed within a reasonable length of time. Nor is it desirable to continue the issuance of special temporary authorizations upon a short term basis. However, it is desirable to encourage such service as is now possible to listeners having FM receivers. Accordingly, the Commission will give consideration to applications for licenses to cover partial construction of FM and ST stations where such construction has proceeded to the point where it is possible to provide a satisfactory though limited FM service. The Commission will also consider applications where construction has been completed and the permittee has been unable to secure equipment and technical personnel to make measurements, required as a prerequisite to issuance of a license. Such licenses will be granted on the definite understanding that immediately the required materials and personnel are available, steps will be taken to comply fully with the original construction permit.

To secure a grant of such an application for license, it will be necessary for each applicant to show (1) *diligence in proceeding with construction and the reasons for failure to complete construction;* (2) *the actual status of construction which the applicant believes sufficient to provide an acceptable FM service;* (3) *the materials and technical personnel needed to complete construction and make proof of performance (Section 6, Form 320);* and, (4) *the applicant's determination to proceed to final completion in accordance with the Rules, Regulations and Standards of the Commission when materials for further construction and needed technical personnel become available.*

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, August 10. It is subject to change.

Monday, August 10

Further Consolidated Hearing

NEW—Hennessy Broadcasting Co., Butte, Mont.—C. P., **1490 kc.**, 250 watts, unlimited.

NEW—Barclay Craighead, Butte, Mont.—C. P., **1490 kc.**, 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted modification of construction permit (B5-MPIB-36) to add the frequency **7230 kc.**, with unlimited time of operation, and extend completion date to 180 days after grant.

Burns Avenue Baptist Church, Detroit, Mich.—Granted extension of authority to transmit programs to Station CKLW, Windsor, Ontario, Canada.

W2XMT—Metropolitan Television, Inc., New York City—Granted application (B1-MPVB-82) for modification of construction permit for experimental television station for extension of commencement and completion dates, subject to submitting to the Chief Engineer within 30 days a satisfactory report as to plans, personnel, and program of research and experimentation.

ACTIONS ON DOCKET CASE

The Commission announced its Proposed Findings of Fact and Conclusions (B-152), proposing to grant the application for renewal of license of Puerto Rico Advertising Co., Inc. (WPRA), Mayaguez, Puerto Rico (Docket No. 5929), and to deny the applications of Puerto Rico Advertising Co., Inc., for construction permits for new standard broadcast stations at Arecibo, Puerto Rico (Docket No. 5930), and at San Juan, Puerto Rico (Docket No. 5938), and also to deny the application of Caribbean Broadcasting Association, Inc., for construction permit for new standard broadcast station at San Juan, Puerto Rico (Docket No. 5898).

DESIGNATED FOR HEARING

WMRO—Martin R. O'Brien, Aurora, Ill.—Designated for hearing application for modification of license (B4-ML-1112) for increase in hours of operation from daytime to unlimited, using 100 watts night, 250 watts LS.

WHAT—Independence Broadcasting Co., Philadelphia, Pa.—Designated for hearing application for modification of license (B2-ML-1129) to change frequency from **1340** to **1550 kc.**, and increase hours of operation from sharing with WTEL to unlimited.

WALB—Herald Publishing Co., Albany, Ga.—Designated for hearing application for renewal of license (B3-R-1134); **1590 kc.**, 1 KW, unlimited time, directional antenna night.

WALB—Herald Publishing Co., Albany, Ga.—Designated for hearing application (B3-P-3383) to change frequency to **1550 kc.**, and make changes in directional antenna system for night use.

WALB—Herald Publishing Co. (Assignor), Albany Herald Broadcasting Co. (Assignee), Albany, Ga.—Designated for hearing application (B3-AL-346) for consent to voluntary assignment of license of station WALB from Herald Publishing Company to Albany Herald Broadcasting Company.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending October 1, 1944:

WHBL, Sheboygan, Wisc.; WKAT and auxiliary, Miami Beach, Florida; WLOL, Minneapolis, Minn.

The following stations were granted renewals for the period ending August 1, 1944:

WJHL, Johnson City, Tenn.; WKY and auxiliary, Oklahoma City, Okla.; WSAZ, Huntington, W. Va.; WTAD, Quincy, Ill.

Licenses for the following stations were renewed for the period ending December 1, 1942:

KDFN, Casper, Wyo.; KGCX, Wolf Point, Mont.; KLO, Ogden, Utah; KLPM, Minot, No. Dak.; WAAB and auxiliary, Boston; WHIS, Bluefield, W. Va.; WIRE and auxiliary, Indianapolis, Ind.; WWSR, St. Albans, Vermont.

MISCELLANEOUS

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted modification of construction permit as modified, which authorized installation of new transmitter and directional antenna for day and night use, increase in power, change in hours of operation, and move transmitter, to extend completion date from July 30 to September 30, 1942 (B4-MP-1619).

WINS—Hearst Radio, Inc., New York City.—Granted modification of construction permit as modified, for increase in power, change hours of operation, install new transmitter and directional antenna for day and night use, and move transmitter, for extension of completion date from August 3 to November 3, 1942 (B1-MP-1610).

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Granted continuance of hearing now set for August 4, on application for extension of completion date of its construction permit, until August 17, 1942 (Docket No. 6313).

J. Marion West, Wesley W. West, and P. M. Stevenson, Houston, Texas.—Granted petition to dismiss without prejudice application (B3-P-2864) for new station and cancel hearing.

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted petition to dismiss without prejudice and cancel hearing on application (B4-P-3389) for construction permit.

Peter Q. Nyce, Alexandria, Va.—Granted petition to dismiss without prejudice application (B2-P-3172) for new station.

KOAM—The Pittsburg Broadcasting Co., Inc., Pittsburg, Kans.—Granted petition to dismiss without prejudice application (B4-P-3198) for construction permit.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Granted petition to dismiss without prejudice application (B3-P-3036) for construction permit.

Lexington Broadcasting Co., Lexington, N. C.—Granted petition to dismiss without prejudice application (B3-P-3122) for new station.

Louisiana Communications, Inc., Baton Rouge, La.—Granted petition to dismiss without prejudice application (B3-P-3242) for new station.

Fort Smith Newspaper Publishing Co., Fort Smith, Ark.—Granted petition to dismiss without prejudice application (B3-P-3117) for new station.

Dorman Schaeffer, Klamath Falls, Ore.—Granted petition to dismiss without prejudice application (B5-P-2951) for new station.

WWNY—The Brockway Co., Watertown, N. Y.—Granted modification of construction permit which authorized installation of directional antenna for night use, change frequency, increase power, change hours of operation, and move transmitter, for extension of completion date from August 16, 1942, to October 16, 1942 (B1-MP-1605).

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Granted modification of construction permit, as modified, for increase of power, installation of directional antenna for day and night use, new transmitter, and move of transmitter, for extension of completion date from August 2 to September 2, 1942 (B5-MP-1614).

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted modification of construction permit as modified, for increase in power, move of transmitter, installation of new transmitter and directional antenna for day and night use, for extension of completion date from August 8 to September 8, 1942 (B1-MP-1608).

WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Granted modification of construction permit as modified, for installation of new transmitter and directional antenna for night use, increase in power, and move transmitter, for extension of completion date from August 1 to September 1, 1942 (B3-MP-1615).

WIS—Surety Life Insurance Co., Columbia. S. C.—Granted license to cover construction permit as modified, for changes in directional antenna and increase in power (B3-L-1688); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1421).

W85A—General Electric Co., Schenectady, N. Y.—Granted modification of construction permit for new station, for change in type of transmitter and extension of commencement and completion dates to 10 days after grant hereof and 30 days thereafter, respectively (B1-MPH-110).

KOVC—KOVC, Inc., Valley City, N. Dak.—Granted authority to determine operating power by direct method in accordance with terms of B4-ML-1131 (B4-Z-1420).

WRLC—R. G. LeTourneau, Toccoa, Ga.—Granted petition to dismiss without prejudice application (B3-P-3451) for construction permit.

WHEB—WHEB, Inc., Portsmouth, New Hampshire—Granted petition to dismiss without prejudice application (B1-P-3448) for construction permit.

APPLICATIONS FILED AT FCC

740 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—Modification of construction permit (B3-P-3011 as modified), which authorized installation of new transmitter, directional antenna, change in frequency, increase in power and move transmitter for changes in transmitting equipment.

770 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of special service authorization to operate on **770 kc.,** 25 KW night, 50 KW daytime, unlimited time, using the transmitter as specified in modification of construction permit (B5-MP-1603) for the period 10-1-42 to 4-1-44.

1300 Kilocycles

WOOD—King Trendle Broadcasting Corp., Grand Rapids. Mich.—Modification of construction permit (B2-P-2874), which authorized increase in power, installation of new transmitter, directional antenna for night use, and move of studio and transmitter for extension of completion date from 8-23-42 to 9-23-42.

1410 Kilocycles

WKBH—WKBH, Inc., LaCrosse, Wis.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

WILM—Delaware Broadcasting Co., Wilmington, Del.—License to cover construction permit (B1-P-3387) for move of transmitter and use of WDEL's south tower of directional array.

1490 Kilocycles

WWSW—Walker and Downing Radio Corp., Pittsburgh, Pa.—Modification of license to change corporate name to WWSW, Inc.

FM APPLICATIONS

W47NY—Muzak Radio Broadcasting Station, Inc., New York, N. Y.—Modification of construction permit (B1-PH-48 as modified), which authorized construction of new high frequency broadcast station for extension of completion date from 8-4-42 to 2-4-43.

W53H—The Travelers Broadcasting Service Corp., Hartford, Conn.—License to cover construction permit (B1-PH-12 as modified) for new high frequency broadcast station.

W85A—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-PH-19 as modified) for new high frequency broadcast station.

MISCELLANEOUS APPLICATIONS

WRET—Ralph A. Horton, Portable-Mobile, area of Ft. Lauderdale, Fla.—License to cover construction permit (B3-PRE-410) for new relay broadcast station.

WAAD—Ralph A. Horton, Portable-Mobile, area of Ft. Lauderdale, Fla.—Modification of construction permit (B3-PRY-259), which authorized a new relay broadcast station for change in type of transmitter and extension of commencement and completion dates.

NEW—The Ohio State University, Portable-Mobile, area of Columbus, Ohio.—Construction permit for new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 25 watts, and A3 Emission.

WFMJ—William F. Maag, Jr., Youngstown, Ohio.—Voluntary assignment of license to The WFMJ Broadcasting Company.

WMNH—The Radio Voice of New Hampshire, Inc., area of Manchester, N. H.—License to cover construction permit (B1-PRY-272) for a new relay broadcast station.

W2XMC—Muzak Corporation, New York, N. Y.—Modification of construction permit (B1-PEX-36 as modified), which authorized construction of new developmental broadcast station for extension of completion date from 9-1-42 to 3-1-43.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Britt-McKinney Co., in Greenville, S. C., and as Britt & Co., in Spartanburg, S. C., engaged in business as brokers of canned foods and fruits and miscellaneous merchandise, are charged in a complaint with violation of Section 2(c) of the Clayton Act, as amended by the Robinson-Patman Act. (4792)

Haband Company, et al.—Complaints have been issued charging Max Habernickel, Jr., and John A. Anderson, trading as Haband Co., Paterson, N. J., and Clermont Cravat Co., Inc., 39 West 29th St., New York, with misrepresentation of the constituent fiber or material of neckties they sell. The Clermont Cravat Company, manufactures certain neckties designated "The Aldrich No. 1202," which are labeled "all silk," and others called "The Cherokee No. 1275," which bears an Indian head on the label and the legend "Hand Made Tie." These ties are sold and distributed by the Haband Company respondents. (4790-4791)

National Technical Institute (formerly National Diesel Institute), Virginia, Ill., conducting correspondence courses of instruction in Diesel engineering, air conditioning, aeronautical engineering, electrical engineering, and commercial training, is charged in a complaint with misrepresentation. (4789)

Universal Fingerprint Systems, Ltd., Seattle, Wash., is charged with misrepresentation in a complaint. (4788)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

Success Portrait Co., trading as Chattanooga Art Medallion Co. and as Art Trade Studios, Chattanooga, Tenn., its officials, and scores of agents and employees operating under various trade names, have been ordered to cease and desist from misrepresentations in the sale of tinted or colored photographic enlargements and miniatures, and frames. (4522)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Alpinel Corp., 565 Broadway, New York, engaged in selling a preparation designated "Girolamo Pagliano Syrup," has stipulated that it will discontinue representing that the preparation has a purifying effect on the blood or on the humors of the body; that it eliminates noxious substances from the organisms; and that it is a remedy or cure for any disease or has any therapeutic value except as a cathartic. (03030)

Hempstead Selipon Co., Hempstead, N. Y., engaged in selling "Elip," a medicinal preparation containing potassium bitartrate, sulphur, and emodin, stipulated to discontinue representing that the product is a remedy for or that it will cure hemorrhoids or cause that condition to dry up; that it will cause the suffering resulting from hemorrhoids to cease; that it is safe, or that it will relieve the itching, inflammation, or bleeding caused by hemorrhoids. (03032)

Reese Chemical Co., 10617 Frank Ave., Cleveland, selling a medicinal preparation designated "Red Hearts," has stipulated to cease and desist from representing that the product will restore youthful vigor or sex vitality or act as an aphrodisiac or stimulant. (03031)

B. E. Sanders, Inc., Tulsa, Oklahoma, engaged in selling a permanent wave solution designated "Floating Oil-of-Castor", has stipulated that it will cease representing that its preparation is a new type of permanent wave solution, will nourish the hair, or contains less ammonia than is contained in other permanent wave solutions. The respondent further agrees to cease representing that the preparation is sold by means of a special, introductory or limited offer, and, by use of the words "Floating Oil-of-Castor" in the designation of its product, that the oil ingredient of the preparation is composed principally of castor oil. (03028)

Western Land Roller Co., Hastings, Nebr., engaged in selling a farm implement designated "Western Pulverizer, Packer and Mulcher," also as "New Western," "Western," and "Western Land Roller," have entered into a stipulation to cease and desist from representing:

> That use of the machine in preparing a seed bed will save one-third, one-half or more of the seed ordinarily used when planting alfalfa, winter wheat, barley, and oats over other methods of properly preparing seed beds for such crops;
> That when it is used for preparing a seed bed every seed will germinate and make a strong growth or that a good stand may be obtained every year;
> That it will be effective in causing potato crops to mature eight to ten days earlier or to produce a larger yield than a potato crop planted in a seed bed properly prepared by other implements and methods;
> That its use will increase profits of sugar and wheat growers from 25 to 50 percent or effect any other definitely stated increased percentage of profit;
> That it will prevent or protect against crop failures except to the extent that such failures may be caused by or attributed to loose unpacked soil;
> That its use will increase the yield of corn from 20 to 40 bushels an acre or effect any definitely stated increased yield over such yield as may be obtained by generally recognized good farming practices; and that it will prevent soil from blowing except insofar as such blowing may be caused by or attributable to loose, unpacked soil. (03029)

Western Natural Foods Co., 1518 Second Avenue, Seattle, Wash., engaged in selling medicinal preparations designated "Kema Tablets" and "Kema Tea," has stipulated to discontinue representing that either of his products is of value in bringing about weight reduction or as an accessory or supplemental food or dietary aid or has any significant food value; that either of the products supplies mineral colloids essential to hydrolysis, saponification, oxidation or elimination of fat; that Kema Tea is of value in keeping organs of elimination in proper working order, or that either of the products is harmless. (03027)

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 32, August 14, 1942

The Broadcast Industry Prepares For Its Most Important Season

The following article was prepared by Earl J. Glade, vice-president of Station KSL, Salt Lake City, and recently reappointed chairman of the NAB Code Compliance Committee. It will be reprinted, in pamphlet form, for distribution with "Is Your Hat in the Ring?"

The broadcasting industry is fully aware of the extraordinary cautions that must be observed by it this fall in its treatment of news and politics. This is obviously because of:

1. The World War; and
2. The national election in the United States.

The recent vigorous consideration of these vital issues in the House of Representatives and the Senate was, indeed, timely. Informative and constructive discussions can always clear the atmosphere. The injection of political issues into news discussions by sponsored commentators is, of course, a problem of serious concern.

Probably at no time in the country's history has there been such an avid interest in news. Every family in the land is so close to the national war effort that not only the tension, but also the attention, is snapping taut.

Our station managements realize this most keenly. Almost without exception, they have taken elaborate precautions to protect the sensitivities of America's millions of listeners. By and large, this has been done superbly well. With the unprecedented volume of business being handled from coast to coast, occasionally some enthusiast gets out of bounds and has to be brought back in. That will happen in a democracy, under freedom.

Co-operating with the press, the broadcasting industry has made world news instantly available throughout the far-reaches of the land, with the result that today undoubtedly the nation stands more fully and more accurately informed than at any previous time.

The Industry's Code

The news section of the Code indicates the high standard for news broadcasting which members of the National Association of Broadcasters have set for themselves. Here it is in its entirety:

News

> "News shall be presented with fairness and accuracy and the broadcasting station or network shall satisfy itself that the arrangements made for obtaining news insure this result. Since the number of broadcasting channels is limited, news broadcasts shall not be editorial. This means that news shall not be selected for the purpose of furthering or hindering either side of any controversial public issue nor shall it be colored by the opinions or desires of the station or network

(*Continued on page 488*)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

THE BROADCAST INDUSTRY PREPARES FOR ITS MOST IMPORTANT SEASON

(Continued from page 487)

management, the editor or others engaged in its preparation or the person actually delivering it over the air, or, in the case of sponsored news broadcasts, the advertiser.

"The fundamental purpose of news dissemination in a democracy is to enable people to know what is happening and to understand the meaning of events so that they may form their own conclusions and, therefore, nothing in the foregoing shall be understood as preventing news broadcasters from analyzing and elucidating news so long as such analysis and elucidation are free of bias.

"News commentators as well as all other newscasters shall be governed by these provisions."

All news commentators should re-read these three paragraphs.

The difficulties involved in living up scrupulously to this forthright statement of policy are at once apparent, but an earnest effort is being made by the industry so to do.

An American radio station is presumed to have no editorial policy. However, the mere selection of a news item for broadcast is an exercise of the editorial function. The choice of each feature, therefore, has a direct bearing on the character of the news period. Selecting news material for broadcasting is considered so significant by listeners, as indicating the sympathies of the station management, that extreme caution must be constantly observed to keep the station free from the charge of bias. This appears to be more necessary with radio than with the press.

Freedom of Speech

Nothing is more repugnant to the radio industry than to have to interfere with complete freedom of speech as far as that freedom applies to well known news commentators, and others of recognized standing. Station managements would naturally prefer to edit, merely, but not to censor. Responsibility of the station under the law, however, necessitates a most careful follow-through. All of the networks and all well managed stations have clearly defined policies covering the entire handling of this vital issue.

As was convincingly stressed by Senator O'Mahoney in the recent senate discussion, data utilized by radio news analysts must be factual. Only the utmost in accuracy both as to the material used and deductions drawn is good enough for radio.

Controversial Public Issues

A controversial public issue is one in which the welfare of the general public as a whole is affected and in which there exists a discernible, divided public opinion.

In its Code, the broadcasting industry has laid down explicit rules for guidance in the handling of this most difficult phase of radio programming.

The Code states in part:

"As part of their public service, networks and stations shall provide time for the presentation of public questions including those of controversial nature. Such time shall be allotted with due regard to all the other elements of balanced program schedules and to the degree of public interest in the questions to be presented. Broadcasters shall use their best efforts to allot such time with fairness to all elements in a given controversy.

"Time for the presentation of controversial issues shall not be sold, except for political broadcasts. * * *"

The exception is made for political broadcasts because, at certain times the contending parties want to use and are entitled to use more time than broadcasters can possibly afford to give away.

The functioning of the controversial issue section of the Code has been one of the most beneficent provisions, not only for the public, but also for the industry.

At a very heavy cost to itself, by refusing to accept money for broadcasting discussions of controversial issues, the radio industry has proved to the nation its earnest desire to be scrupulously fair in handling all public matters where controversy is involved. It definitely guarantees to the poor as well as to the rich, not only the right to be heard, where it can be demonstrated that there is a public interest, but, *more importantly, the right to hear.*

> *If any radio station is not conscientiously observing this important section of the Code, it is failing in one of broadcasting's most vital trusts.*

Political Broadcasts

With regard to political broadcasts, reference is invited to Sections 3.421-3.424 of the Federal Communications Commission's Rules and Regulations.

On July 2, 1938, Chairman Frank R. McNinch, speaking for the Commission, admitted that "no set of rules or statute can specifically cover all situations that may arise," and that, "conformity to the spirit as well as the letter of these rules will enable stations to make their facilities available to political candidates upon terms and conditions which will assure fair treatment to all."

"The commission," he continued, "will, of course, insist upon good faith in the application of these rules and will deal vigorously with infractions thereof."

The record is convincing evidence of how earnestly the radio industry has striven to live up to the spirit and the letter of the law in the matter of political broadcasts. Against the almost insuperable odds of time limitations, there being only so many hours in a broadcast day, and the equitable allocation of this time to all contending parties, radio station managements have done a highly creditable piece of work. Isolated mistakes have occurred—some, it would seem, inexcusable. However, it may well be asked: What other industry has a more satisfactory general record for distinguished public service than radio broadcasting?

It is understandable, under the frustration of disappointment where contending political interests are demanding the same broadcast time, and numerous other impossible considerations, that tempers should flare. But these differences can always be equitably composed and fair consideration dealt every one, if all the parties will just take time to get together.

Operating an average of eighteen hours per day, or seventy-two 15 minute periods, with every second of that time, every note played, every measure sung, every word uttered, under the relentless scrutiny of the government, the public, the sponsor, and, possibly, several official checkers, the various station managements have an assignment that represents a real challenge. But they are not too absorbed, as experience clearly reveals, gladly to show their patrons and the public the thoughtful courtesies and consideration which are their full due.

Under the extraordinary pressure of political campaigns, mistakes will sometimes occur. Actually they are rare. The human factor is still functioning. It is most certainly the earnest effort of the industry to have these errors fewer and fewer.

The fall of 1942 with the world war fighting away at our very doors and a national election inviting our attention and our interest, radio broadcasting will have the greatest opportunity of its twenty years for an incomparable public service.

It will not disappoint America!

Programs for Victory

BONNIE BAKER HELPS WROK

At WROK, Rockford, Ill., they're selling bonds by phone, mail and in person, according to Bill Traum, promotion director. "Songstress Bonnie Baker," said Bill, "helped to get us off to a swell start on the fifth."

Starting this week, the Rockford Morning Star, with which WROK is affiliated, is contributing four advertisements a week "for the duration," to keep the readers posted on the station's war bond sales activities.

Mr. Traum has suggested to Vincent Callahan of the Treasury Department that he authorize a suitable emblem for incorporating in such advertisements, perhaps with such words as "Station XXXX Qualified Issuing Agent, U. S. Treasury Department."

WCBI ANNOUNCERS' BOND CONTEST

A productive angle in the promotion of the sale of war bonds and stamps has been worked out with J. O. Slaughter, chairman of the War Savings Committee of Lowndes County by station WCBI, Columbus, Miss. General Manager Bob McRaney has divided twelve quarter hour programs per week among four staff announcers, Phil Gulley, Buck Hinman, Bert Craig and Bill Shackleford, giving each a free hand in producing three shows each per week to encourage the listeners to buy more bonds and stamps.

They ask buyers to write them a card, giving their name, address, date of purchase and place of purchase of bonds. Listeners are to give credit to announcer of their choice. At the end of the month-long contest the sales credited to each announcer will be tabulated, and the one having largest total will receive a $25 war bond.

CERTIFICATES FOR WHO BOND BUYERS

Between July 23 and August 6 WHO sold $85,081 worth of war bonds and stamps.

According to Woody Woods, WHO publicity director, the station will soon be giving their bond purchasers a membership in the WHO U. S. WAR SAVINGS BOND CLUB with a windshield sticker in red, white and blue.

On the evening of July 24 at 9:30 p. m. the station played the 10 minute transcription, featuring "I'm Saving a Dime Out of Every Dollar" and the talk by Secretary Morgenthau. This was followed by a 5 minute talk by J. O. Maland, vice president of the Central Broadcasting company and manager of WHO. On Thursday evening, July 30, there was another 30 minute show at 7:30 p. m. entitled "This Is Your War." It featured a 30 piece orchestra, male quartet, girl trio and chorus. Messrs. Burlingame and Palmbeck, who are slugging it out in a bond sales competition, appealed to their friends for sales.

"The Iowa Bond Dance Frolic," another 30 minute show, followed on August 6. This was a barn dance type production with a cast of forty, also featured by Messrs. Burlingame and Palmbeck in a two-minute talk.

WHAM AT WAR

William Fay, general manager, WHAM, Rochester, has just issued a handsome illustrated, hard cover brochure entitled "WHAM Goes to War."

Contents concern War Week in Rochester, June 14-21, 1942, and the part played by the station. The weeks promotion was in charge of Mr. Fay and Charles Siverson, program director. WHAM now operates on a 24 hour basis. Dick Toole, who takes over at midnight, has received mail from all 48 states, Canada, Cuba, Mexico, Alaska, Hawaii, Australia, etc.

RADIO CAN DO IT

KGBS, Harlingen, Texas, has come to the support of the Cameron County Selective Service Board in an unusual manner. The Board experienced difficulty in getting returns on Selective Service questionnaires. A week or so ago the Board turned over a list of 11 delinquents to KGBS. Ingham S. Roberts, general manager, called out the names on a Spanish program with a proper explanation of what was wanted. By noon of the day following, 9 of the 11 delinquents had reported.

WPDQ TO START SEPT. 15

Radio Station WPDQ, Jacksonville, Fla., Robert R. Feagin, general manager, expects to be on the air by Sept. 15.

On Aug. 12, Mr. Feagin told members of the Jacksonville Kiwanis Club all about radio's part in the war effort. Station will operate on 1270 kc. with 5,000 watts, day and night.

Open Season No Limit

JAPANESE HUNTING LICENSE

Free Ammunition
and Equipment—With Pay

Those headlines, some additional copy with a place for a name complete the license. Rights to use this unique license are distributed by the Marine Corps.

TO THE MARINES

Staff Sergeant Fann, formerly commercial manager, WBRW, Welch, W. Va., is Marine recruiting officer in Welch. Close Marine-station cooperation has boosted recruiting, according to James M. Flenniken, program director.

CHILDREN'S PROGRAMS

A new streamlined edition of "Broadcasting to the Youth of America" by Dorothy Lewis will be released in the near future. To bring this material up to date, please send us a complete story of your successful shows of 1941-42. From those submitted, the most unique will be selected for detailed description. Also please send us information of how your station has used children, children's programs and the schools to aid in the war effort.

Please be prompt so that if your station has a story to tell in the children's program field, it may be included in "Radio Patterns for Children's Programs."

You will recall that Dorothy Lewis visited about 350 stations in 1940 taking down data on 1500 program series. The findings were released in "Broadcasting to the Youth of America," of which 30,000 copies have been distributed to date.

SCHOOL WORKSHOP AT WGY

WGY is cooperating with the Schenectady Public Schools in a Radio Workshop for elementary and secondary school teachers and supervisors. This is believed to be the first venture of this kind undertaken jointly by radio and school authorities.

The workshop will be in session three weeks with Max U. Bildersee, supervisor of the Bureau of Radio and Visual Aids of the New York State Education Department, as director. The purpose of the workshop is to train teachers for better use of radio in the classrooms and in the writing of radio scripts and in production.

Twenty teachers enrolled for the three-weeks' course which will consist of morning and afternoon sessions, with plenty of "homework" to supplement the day's lectures and discussions. The enrollment limit was set at twenty but, according to Dr. Howard Pillsbury, superintendent of Schenectady schools and the instigator of the workshop, double that number tried to sign up for the lecture series. All sessions will be held at the Education Building, Union Street, Schenectady. Victor Campbell is WGY's representative on the workshop staff.

Max Bildersee has been with the New York State Education Department less than two years. Prior to that association he was connected with the education department of the British Broadcasting Corporation and later with the National Broadcasting Company.

Dr. Pillsbury, is past president of the American Association of School Administrators, past president of the New York State Teachers Association and president of the New York State Council of City and Village Superintendents.

DOROTHY LEWIS REVIEWS

"All Children Listen"

By what magic did Hitler enslave the minds of Nazi youth so that they would become robots, facing death joyously, and perishing in battle with Hitler's name on their lips?

Dorothy Gordon, the well-known radio artist, author and lecturer, gives us the answers to these questions in her newest book, "All Children Listen" published by George Stewart, Inc. Miss Gordon made an intensive study of broadcasting in Germany, Italy, Russia and in fact, the entire European continent in 1933 and in 1936. She saw how radio was seized in Germany, immediately upon Hitler's ascension to power, to indoctrinate the Nazi youth with the virus of fascist poison, and to teach children to hate . . . to destroy . . . and to live only for the supposedly glorious opportunity of dying for Hitler. She watched the effect of Hitler's broadcasts upon his young people, as they were piped into every classroom . . . and she realized, with sinking heart, that the time would come when only savage fighting, pillaging and ruthless murder would satisfy the young Nazis.

Upon her return to the United States, Miss Gordon began to crusade for radio programs which would instill in our youth the same burning devotion to democracy as the dictators had developed for fascism through clever radio programs.

"All Children Listen" provides much food for thought . . . for Miss Gordon makes it clear that parents, educators and broadcasters must share alike the blame for their failure to use radio for promoting democratic precepts in American youth. She paints a vivid picture of contrasts, as she reviews the history of children's radio programs in the United States, and in the dictator nations.

The author, who is a staunch advocate of the American system of broadcasting, proposes that considerably more time a day be devoted to children's radio programs than at present. She recommends that the finest artistic talent be employed to present radio programs which will dramatize democratic ideals, and prepare our young people for the post-war world.

"America," says Miss Gordon, "must not lose the chance of making our young people the standard bearers of a goal for human liberty; a goal of progress and intellect and the pursuit of human happiness!"

Commercial sponsors will be particularly interested in Miss Gordon's interesting views on educating the consumer of the future. She points out that children are consumers of more than a third of all the merchandise sold in the country, and says that the children's market has scarcely been touched.

Miss Gordon also rebukes the educational groups which have refused to cooperate with anything "commercial" and says that they must accept the disadvantages of commercialism that go with the advantages of sponsored programs.

Altogether, "All Children Listen" is well worth the attention of broadcasters for the fresh slant on their own problems they will receive from Miss Gordon's book.

—Dorothy Lewis, Coordinator of Listener Activities, NAB.

BRYSON TO OWI

Lyman Bryson, Chairman of the Adult Education Board of the Columbia Broadcasting System, was today appointed educational advisor in the Office of War Information, Gardner Cowles, Jr., Director Domestic Operations of OWI, announced.

Bryson will continue his work with the Columbia Broadcasting System, serving the Office of War Information part time, without compensation. His immediate work will be to assist the Domestic Branch of the OWI in perfecting a better flow of war information to the public schools via radio and other channels. He will also assist in the establishment of an adult education branch of the OWI which will stimulate discussion of the war and the war aims of the United Nations among all organized groups in the country.

Bryson has had extensive experience throughout the country in the adult education field. His work with the Office of War Information will be done in close cooperation with the United States Department of Education.

PER-INQUIRY REQUEST

The radio industry has been flooded this week with a letter from the John P. Myers Co., New York City, soliciting a per-inquiry deal for the Overman Tire Company's product, *Rubber Life*.

The NAB has written the John P. Myers Company, pointing out that this procedure is an unsound business practice, and has requested that they employ radio time at regular, established rates.

PROPOSED AMENDMENTS TO WPB REGULATION NO. 10

Compliance by the broadcaster with Amended WPB Regulation No. 10 will not be difficult. When ordering merely place the Production Code number X 11.20 on all purchase orders and PD-1A Forms. This requirement is in addition to the regulations applying to Preference Ratings, with all of which there must be full compliance.

This Regulation was originally issued June 1, 1942, under the title "Allocation Classification System." The proposed amendment would change the title to "Production Code." Broadcast stations are required to use the appropriate code letter and numbers on all purchase orders, either verbal or written, placed after August 31, 1942, or calling for delivery after August 31, 1942. Prior to August 31, 1942 purchase orders may comply with the original Regulation No. 10 as amended June 26 and July 22, 1942 or the proposed amendment of Regulation No. 10.

The purpose of the new regulation is to supply information regarding the flow of basic materials for the war program and related civilian economy. The supply is not large enough to satisfy all essential requirements. It is, therefore, necessary to review in their relation to the war program the most essential requirements of finished products and to determine their urgency of manufacture. To this end a standard method of identification and reporting must be established for all industry, and consequently, any information requested from time to time by the War Production Board as to the distribution of an industry's products will be reported and classified on the basis of this Production Code.

A dual system of letters and numbers is to be used on all purchase orders, except as exempted in Priorities Regulation No. 10.

Letters indicate the broad classes of ultimate purchaser, i.e., Army (A), Navy (N), all others (X).

Numbers indicate the classes and subclasses into which certain industries have been grouped.

Neither the code number nor letter indicates the order of importance. They are not preference ratings nor do they serve the same purpose as preference ratings. They simply serve to identify the purpose for which any particular product or material is to be used. The mere fact that an order may bear the number 14.00 does not mean that it is any more or any less important than an order bearing either the numbers 1.10, 2.20, 11.10, or 19.00.

WPB COMMITTEES

WPB has announced the following radio transmitter manufacturers industry advisory committee and a similar committee for the radio receiver vacuum tube industry:

Radio Transmitter Manufacturers Industry

Frank H. McIntosh, Chief of the Radio Section, is the Government Presiding Officer.

Committee members are:

W. J. Barkley
Collins Radio Co.
New York, N. Y.

H. E. Bonfig
RCA Mfg. Company
Camden, N. J.

Sosthenes Behn, Pres.
International Telegraph & Telephone Co.
East Newark, N. J.

Walter Evans
Westinghouse Electric Co.
Bloomfield, N. J.

Fred M. Link, Pres.
Link Radio Corp.
New York City

A. Lloyd, Mgr.
Hammerlund Co.
New York City

Chas. M. Srebroff, Pres.
Radio Engineering Labs.
Long Island City, N. Y.

M. H. Willis
Spokane Radio Co.
Spokane, Wash.

H. N. Willets
Western Electric Co.
New York, N. Y.

C. E. Wilson, Pres.
General Electric Co.
New York, N. Y.

Radio Receiver Vacuum Tube Industry

Frank H. McIntosh, Chief of the Radio Section, is the Government Presiding Officer.

Committee members are:

M. F. Balcolm, Vice Pres.
Hygrade Sylvania Corporation
Emporium, Pa.

Henry C. Bonfig, Vice Pres.
RCA Manufacturing Co., Inc.
Camden, N. J.

Roy Burlew, President
Ken-Rad Tube & Lamp Co.
Owensboro, Ky.

Raymond E. Carlson, Vice Pres.
Tung-Sol Lamp Works, Inc.
Newark, N. J.

L. H. Coffin, President
Hytron Corporation
Salem, Mass.

Lawrence K. Marshall, Pres.
Raytheon Production Corp.
Newton, Mass.

Labor

WAGE POLICY

All of us are worried about inflation. We all remember that it took a wheelbarrow load of paper money to buy a loaf of bread in post-war Germany. We don't want that to happen here.

One of the things we can do to prevent inflation is to stop indiscriminate wage and salary increases. We shudder about an increase in steel wages, when increases in our own business, along with the thousands of other comparatively small industries, are much more important in the aggregate.

President Roosevelt has said that there should be *no* increases unless wages or salaries are substandard or inequal.

If there are any *substandard* salaries in radio, they are so few and far between that they can be rectified easily.

What the President meant by *inequalities* is still much discussed. The best thought we have found on the matter is that there should be *substantially* equal pay for equal work of equal quality in a community. Naturally competitive conditions would have to be taken into account.

The War Labor Board, in an effort to head off wage freezing by the federal government, has added a third factor to this policy. So far, Mr. Roosevelt has allowed it to stand. The War Labor Board, upon request, will grant wage increases up to 15 per cent (no higher) above pay received in January, 1941. This corresponds to the 15 per cent increase in the cost of living since January, 1941. If these employees have received any increases since January, 1941, the amount of these increases should be deducted from the 15 per cent.

It should be remembered, too, that this War Labor Board "formula" has been applied only to employees who must spend most of their earnings for the necessities of life. It certainly was not meant for those whose earnings provide luxuries that might well be sacrificed in wartime.

In summary, unless serious consideration is given to proposed wage increases, we probably are in for wage freezing by the government. We probably wouldn't like that. Because managerial salaries, bonuses and dividends probably would be frozen along with wages. And because once the government started fixing wages, it might be a long time before it got out of that business.

Here's a tip: how about giving (and taking, Mr. Manager) increases in war bonds.

JOINT NEGOTIATIONS

Broadcasters in cities where more than one station deals with the same labor union should read the following editorial from the *Baltimore Sun,* then think about the possibility of joint negotiations.

Such joint negotiations have worked out successfully in Birmingham, St. Louis, San Francisco and other cities. The NAB Labor Relations Director will be glad to discuss this problem with any members.

WLB's Mr. Davis Thinks Employers Should Organize

Chairman William H. Davis of the War Labor Board thinks the time has come for general organization among employers for collective bargaining with the unions. Mr. Davis makes this comment in his capacity as chairman of a Twentieth Century Fund committee which has supervised a survey of contemporary labor relations for the fund. The committee has no responsibility for the findings reached by a research staff which found that employer organization was extending. But Mr. Davis himself believes employer organization for collective bargaining is a good thing.

"It makes for greater stability throughout an industry," says Mr. Davis. It works toward "more responsible unions and puts management on a more fair and equitable competitive basis so far as wage costs are concerned. . . ."

Mr. Davis has been saying that employers ought to organize for collective bargaining for some time. When he went to England and Sweden in the summer of 1938 as a member of a Presidential commission studying labor relations, he found that nation-wide employer organization for bargaining with the unions was taken as a matter of course in those countries. In 1936 British employers were organized into 266 general associations or federations, while there were some 1,550 local or district organizations. Organization was similarly widespread in Sweden. Apparently, Mr. Davis has felt ever since the 1938 trip that America might come to the same evolutionary development.

Presumably, Mr. Davis' earlier feeling on this issue has been reinforced by his work as chairman of the War Labor Board. Surely such a post should have provided him unparalleled opportunity for detecting the flaws in collective bargaining as now practiced in the United States. Here Mr. Davis has possibly begun to find that employers are sometimes actually at a disadvantage when up against some of the great new nation-wide unions. At any rate, he says that employer organization "would do much to promote an equality of bargaining power between management and labor."

Of course, it is not as though the employer organization for which Mr. Davis calls were unknown in the United States. On the contrary, as stated above, the Twentieth Century Fund study shows that it is already growing in this country. The employer associations which deal with Mr. John L. Lewis' coal-miners' union are an example. As the power of organized labor increases, doubtless organization of employers for collective bargaining will extend.

TIME SPENT DRIVING AUTOMOBILE

The time spent by an outside employee driving an automobile on business of his employer must be considered as time worked under the Fair Labor Standards Act, according to an opinion released by the Wage and Hour Division, U. S. Department of Labor.

The Division's statement of its position was specifically directed to the case of an insurance company with outside employees engaged in the insurance business, but it was pointed out that the principle involved would apply equally to other outside employees.

"Since an employee who drives an automobile is required to expend continuous effort and energy and has no opportunity to relax, sleep, eat or otherwise pursue his own interests, it is the opinion of the Wage and Hour Division," the statement said, "that all the time which an employee spends in driving an automobile on the business of his employer is time worked under the Fair Labor Standards Act. If, however, an employee works regularly at a fixed place of employment, the time he spends driving to and from work is not ordinarily to be considered time spent on the business of his employer and need not be treated as hours worked."

BELO CASE

A petition asking the United States Supreme Court to grant a rehearing in the Wage-Hour case against the A. H. Belo Corporation, publishers of the *Dallas Morning News,* has been presented to the court by the Solicitor General, acting on behalf of L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, Mr. Walling announced.

The Supreme Court on June 8, 1942, in a 5 to 4 decision, ruled that the salary arrangement of the A. H. Belo Corporation, whereby it contracted with its employees to establish a certain "regular rate" of hourly pay to yield a guaranteed weekly wage regardless of the number of hours worked, up to a specified number of hours in a week, and with extra compensation thereafter, did not violate the overtime provisions of the Fair Labor Standards Act.

CALIFORNIA

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Alameda	165,201	96.4	159,213	153,645	96.7	148,583	6,800	92.1	7,917	2,956	91.8	2,713
Alpine	100	64.3	64	....	....	....	80	65.4	52	20	60.0	12
Amador	2,661	82.9	2,205	....	....	....	2,273	83.7	1,903	388	77.8	302
Butte	13,414	84.8	11,373	4,470	92.0	4,111	5,791	79.2	4,587	3,153	84.8	2,675
Calaveras	2,797	78.5	2,197	....	....	....	2,218	80.2	1,779	579	72.1	418
Colusa	2,911	85.7	2,495	....	....	....	1,857	86.9	1,614	1,054	83.6	881
Contra Costa	29,830	94.9	28,315	15,623	95.9	14,980	11,262	95.4	10,743	2,945	88.0	2,592
Del Norte	1,567	72.1	1,130	....	....	....	1,262	73.0	922	305	68.1	208
El Dorado	4,420	77.7	3,434	997	90.3	900	2,270	74.3	1,687	1.153	73.5	847
Fresno	50,012	87.8	43,924	22,106	92.2	20,373	12,893	87.1	11,224	15,013	82.1	12,327
Glenn	3,527	86.8	3,063	....	....	....	1,902	86.9	1,653	1,625	86.8	1,410
Humboldt	14,321	85.1	12,192	5,577	88.3	4,922	6,334	83.8	5,307	2,410	81.5	1,963
Imperial	15,263	69.8	10,650	6,945	75.9	5,274	3,783	66.9	2,530	4,535	62.8	2,846
Inyo	2,372	73.8	1,750	....	....	....	2,223	72.9	1,621	149	86.7	129
Kern	37,961	85.1	32,283	10,686	93.4	9,982	21,440	82.7	17,736	5,835	78.2	4,565
Kings	9,615	84.5	8,131	2,339	86.0	2,010	3,747	88.6	3,319	3,529	79.4	2,802
Lake	2,728	88.6	2,416	....	....	....	1,748	89.3	1,560	980	87.3	856
Lassen	4,286	85.4	3,659	....	....	....	3,628	87.1	3,158	658	76.2	501
Los Angeles	893,602	95.8	855,799	773,596	95.9	741,608	110,248	95.6	105,366	9,758	90.4	8,825
Madera	6,211	77.4	4,810	1,757	85.4	1,500	1,198	70.8	848	3,256	75.6	2,462
Marin	13,576	96.5	13,095	7,459	97.6	7,280	5,263	96.1	5,060	854	88.4	755
Mariposa	1,983	72.5	1,437	....	....	....	1,527	72.4	1,106	456	72.7	331
Mendocino	7,800	81.4	6,347	2,182	90.2	1,969	2,962	79.8	2,365	2,656	75.8	2,013
Merced	12,927	82.6	10,676	2,776	82.5	2,290	4,462	84.9	3,787	5,689	80.8	4,599
Modoc	2,695	80.7	2,175	....	....	....	1,853	80.3	1,488	842	81.6	687
Mono	776	73.4	570	....	....	....	655	73.9	484	121	70.8	86
Monterey	20,057	88.8	17,803	9,212	93.0	8,570	7,316	86.4	6,324	3,529	82.4	2,909
Napa	7,679	92.1	7,075	2,557	95.4	2,440	2,808	90.7	2,548	2,314	90.2	2,087
Nevada	6,021	85.8	5,165	1,767	94.5	1,669	3,597	83.5	3,003	657	75.0	493
Orange	41,027	94.4	38,731	25,461	95.3	24,257	10,849	92.5	10,034	4,717	94.1	4,440
Placer	8,414	86.3	7,271	3,171	94.9	3,010	3,264	81.8	2,671	1,979	80.4	1,590
Plumas	3,489	81.2	2,834	....	....	....	3,270	81.1	2,653	219	82.5	181
Riverside	31,011	86.0	26,663	15,920	92.6	14,747	9,835	79.4	7,807	5,256	78.2	4,109
Sacramento	49,134	91.3	14,868	33,082	94.0	31,096	10,920	85.8	9,374	5,132	85.7	4,398
San Benito	3,256	88.7	2,887	1,206	92.2	1,113	593	84.8	503	1,457	87.2	1,271

CALIFORNIA—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
San Bernardino..	47,666	89.8	42,798	28,877	91.1	26,317	13,636	86.2	11,750	5,153	91.8	4,731
San Diego.......	90,179	93.5	84,343	74,917	94.8	70,993	9,237	88.5	8,175	6,025	85.9	5,175
San Francisco...	206,011	94.4	194,442	206,011	94.4	194,442	......	....	......	......	....	......
San Joaquin.....	36,569	88.7	32,452	19,412	92.2	17,895	8,501	87.7	7,453	8,656	82.1	7,104
San Luis Obispo..	10,231	85.7	8,771	3,786	93.2	3,529	3,923	82.0	3,216	2,522	80.3	2,026
San Mateo......	33,516	96.5	32,333	24,474	97.2	23,798	8,078	95.3	7,702	964	86.5	833
Santa Barbara...	21,239	91.6	19,463	14,781	93.6	13,833	4,214	89.1	3,757	2,244	83.5	1,873
Santa Clara.....	51,916	94.0	48,829	33,883	95.6	32,407	10,803	91.4	9,874	7,230	90.6	6,548
Santa Cruz......	14,968	90.9	13,607	8,783	92.6	8,131	3,987	90.5	3,609	2,198	84.9	1,867
Shasta..........	8,985	78.7	7,071	2,486	91.0	2,261	4,954	75.0	3,716	1,545	70.8	1,094
Sierra..........	1,082	78.8	853	....	....	....	981	79.7	782	101	70.1	71
Siskiyou........	8,737	84.6	7,390	....	....	....	7,185	85.1	6,113	1,552	82.3	1,277
Solano..........	14,559	92.5	13,466	6,014	96.0	5,774	6,057	95.1	5,759	2,488	77.7	1,933
Sonama.........	21,641	91.9	19,882	7,865	94.7	7,445	5,660	89.9	5,086	8,116	90.6	7,351
Stanislaus.......	21,883	89.5	19,596	7,439	92.8	6,906	6,761	85.8	5,802	2,683	89.7	6,888
Sutter..........	5,539	83.0	4,599	1,594	91.8	1,464	1,554	74.5	1,157	2,391	82.7	1,978
Tehama.........	4,476	84.9	3,798	1,215	86.4	1,050	1,218	86.6	1,055	2,043	82.9	1,693
Trinity.........	1,438	70.9	1,019	....	....	....	1,045	70.5	737	393	71.8	282
Tulare..........	29,638	83.6	24,775	10,963	88.5	9,465	7,784	74.0	5,760	11,161	85.6	9,550
Tuolumne.......	3,598	82.4	2,965	....	....	....	3,038	83.5	2,535	560	76.8	430
Ventura........	19,051	91.5	17,425	9,873	91.3	9,015	5,568	91.2	5,075	3,610	92.4	3,335
Yolo...........	7,776	85.6	6,652	2,003	94.2	1,887	3,514	81.5	2,865	2,259	84.1	1,900
Yuba...........	5,001	79.4	3,975	1,912	88.6	1,695	2,321	71.7	1,664	768	80.2	616
State Total..	2,138,343	92.9	1,987,204	1,568,552	95.1	1,490,991	393,950	88.5	348,375	175,841	84.1	147,838

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Alameda............................	Alameda	11,648	97.9	11,402
Alhambra...........................	Los Angeles	12,759	97.9	12,491
Bakersfield.........................	Kern	8,529	94.7	8,080
Belvedere township*..................	Marin	8,927	91.8	8,199
Berkeley...........................	Alameda	28,210	97.9	27,627
Beverly Hills........................	Los Angeles	8,420	99.1	8,348
Burbank............................	"	10,638	98.0	10,423
Fresno.............................	Fresno	17,469	92.7	16,198
Glendale...........................	Los Angeles	26,250	98.4	25,834
Huntington Park....................	"	9,576	97.1	9,296
Inglewood..........................	"	9,436	98.5	9,293
Long Beach.........................	"	58,385	96.7	56,456
Los Angeles.........................	"	493,087	95.3	469,836
Oakland............................	Alameda	99,325	96.1	95,441
Pasadena...........................	Los Angeles	27,361	96.4	26,387
Riverside...........................	Riverside	10,422	94.3	9,833
Sacramento.........................	Sacramento	32,178	93.9	30,227
San Bernardino......................	San Bernardino	13,482	90.8	12,248
San Diego..........................	San Diego	63,962	94.9	60,687
San Francisco.......................	San Francisco	206,011	94.4	194,442
San Jose...........................	Santa Clara	21,634	95.4	20,647
Santa Ana..........................	Orange	10,422	94.7	9,875
Santa Barbara.......................	Santa Barbara	11,428	93.7	10,705
Santa Monica.......................	Los Angeles	18,025	96.5	17,399
South Gate.........................	"	8,199	98.0	8,036
Stockton...........................	Joaquin	14,848	92.1	13,680

* Urban under special rule.

NAB Research Department

August 7, 1942

OHIO

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	5,883	68.2	4,013	....	....	....	2,707	76.9	2,083	3,176	60.8	1,930
Allen	20,255	93.7	18,991	13,667	96.0	13,116	3,499	92.1	3,222	3,089	85.9	2,653
Ashland	8,673	90.2	7,826	3,855	96.1	3,705	2,161	88.8	1,919	2,657	82.9	2,202
Ashtabula	19,573	91.2	17,852	10,095	95.6	9,655	4,554	92.0	4,189	4,924	81.4	4,008
Athens	12,251	81.8	10,042	4,909	92.5	4,539	4,695	76.3	3,582	2,647	72.6	1,921
Auglaize	7,931	90.8	7,200	3,214	93.8	3,014	2,084	89.8	1,871	2,633	87.9	2,315
Belmont	25,046	85.6	21,436	12,335	91.6	11,304	8,973	82.2	7,372	3,738	73.8	2,760
Brown	6,256	75.1	4,694	....	....	....	2,820	80.7	2,276	3,436	70.4	2,418
Butler	32,496	92.3	29,979	23,400	93.5	21,875	5,757	89.7	5,163	3,339	88.1	2,941
Carroll	4,726	83.1	3,928	1,208	94.9	1,146	1,391	82.2	1,144	2,127	77.0	1,638
Champaign	7,263	88.4	6,422	2,415	92.9	2,244	2,289	85.9	1,966	2,559	86.5	2,212
Clark	26,653	93.0	24,780	20,093	93.6	18,814	3,752	91.4	3,428	2,808	90.4	2,538
Clermont	9,732	83.4	8,114	....	....	....	6,004	86.3	5,181	3,728	78.7	2,933
Clinton	6,824	86.8	5,924	1,877	95.1	1,786	2,417	84.3	2,037	2,530	83.1	2,101
Columbiana	24,435	90.4	22,082	15,204	94.5	14,371	5,071	86.4	4,384	4,160	80.0	3,327
Coshocton	8,720	84.6	7,381	3,459	94.1	3,255	2,351	82.6	1,942	2,910	75.0	2,184
Crawford	10,386	91.9	9,548	6,965	94.9	6,611	1,028	84.7	871	2,393	86.3	2,066
Cuyahoga	336,519	96.2	323,878	328,004	96.3	315,713	6,688	96.4	6,446	1,827	94.1	1,719
Darke	11,145	86.7	9,663	2,416	94.0	2,270	3,532	88.1	3,113	5,197	82.4	4,280
Defiance	6,860	88.9	6,101	3,617	94.9	3,432	655	86.5	566	2,588	81.3	2,103
Delaware	7,586	87.9	6,665	2,739	92.8	2,542	1,685	85.5	1,440	3,162	84.9	2,683
Erie	12,042	93.3	11,239	7,146	96.0	6,857	3,005	89.7	2,696	1,891	89.2	1,686
Fairfield	13,274	88.2	11,712	6,243	94.2	5,879	3,539	84.7	2,998	3,492	81.2	2,835
Fayette	6,066	82.6	5,013	2,733	86.9	2,375	993	75.1	746	2,340	80.8	1,892
Franklin	105,742	95.1	100,569	90,418	95.6	86,441	11,360	92.4	10,492	3,964	91.7	3,636
Fulton	6,801	88.0	5,983	979	93.7	917	2,607	90.6	2,362	3,215	84.1	2,704
Gallia	6,051	68.3	4,144	1,617	87.5	1,415	1,399	66.9	936	3,035	59.1	1,793
Geauga	5,193	83.2	4,318	....	....	....	2,438	89.6	2,183	2,755	77.5	2,135
Greene	9,661	87.8	8,481	3,610	89.2	3,221	3,338	88.1	2,942	2,713	85.4	2,318
Guernsey	11,055	82.6	9,156	4,368	92.6	4,045	3,679	80.3	2,954	3,008	71.7	2,157
Hamilton	181,342	93.7	169,927	161,094	94.0	151,357	16,727	92.4	15,459	3,521	88.4	3,111
Hancock	11,950	92.5	11,057	6,746	95.7	6,458	1,768	89.5	1,582	3,436	87.8	3,017
Hardin	7,966	86.7	6,906	2,349	92.8	2,179	2,696	85.4	2,303	2,921	83.0	2,424
Harrison	5,545	81.7	4,533	843	90.7	764	2,769	85.2	2,360	1,933	72.9	1,409
Henry	6,320	88.9	5,621	1,477	95.5	1,411	1,822	90.1	1,641	3,021	85.1	2,569
Highland	8,014	82.0	6,572	2,742	90.5	2,481	1,908	76.9	1,468	3,364	78.0	2,623
Hocking	5,729	78.3	4,486	1,827	92.8	1,696	2,060	77.0	1,586	1,842	65.4	1,204
Holmes	4,532	67.5	3,063	....	....	....	1,991	83.8	1,668	2,541	54.9	1,395
Huron	9,920	91.4	9,069	4,696	95.8	4,500	2,271	89.6	2,034	2,953	85.8	2,535
Jackson	7,079	78.6	5,562	3,410	87.8	2,994	1,905	71.9	1,370	1,764	67.9	1,198
Jefferson	24,565	88.5	21,742	12,693	93.0	11,806	9,593	86.4	8,285	2,279	72.5	1,651
Knox	9,153	88.3	8,087	3,084	96.0	2,960	2,971	88.6	2,632	3,098	80.5	2,495
Lake	13,774	95.9	13,217	6,528	96.6	6,308	5,268	96.5	5,084	1,978	92.3	1,825
Lawrence	11,430	76.1	8,699	4,253	90.7	3,859	3,749	72.2	2,705	3,428	62.3	2,135
Licking	18,346	89.5	16,420	9,460	93.5	8,845	4,480	88.1	3,946	4,406	82.4	3,629
Logan	8,767	88.8	7,785	2,936	96.3	2,828	3,018	87.5	2,640	2,813	82.4	2,317
Lorain	30,228	94.3	28,497	21,478	95.5	20,517	4,876	92.8	4,524	3,874	89.2	3,456
Lucas	96,079	95.9	92,162	80,557	96.4	77,692	12,597	94.3	11,884	2,925	88.4	2,586
Madison	5,451	81.0	4,414	1,363	88.7	1,209	1,764	83.7	1,477	2,324	74.4	1,728
Mahoning	59,065	92.7	54,759	48,041	93.0	44,679	8,115	93.2	7,562	2,909	86.6	2,518
Marion	12,761	92.2	11,769	8,744	94.3	8,247	1,644	89.5	1,471	2,373	86.4	2,051
Medina	9,307	92.3	8,597	3,233	96.8	3,129	2,505	91.2	2,286	3,569	89.2	3,182
Meigs	6,708	74.9	5,019	2,041	86.9	1,774	1,846	75.4	1,391	2,821	65.7	1,854
Mercer	6,658	89.0	5,927	1,408	95.5	1,344	2,163	90.4	1,956	3,087	85.1	2,627
Miami	15,047	94.0	14,148	8,468	96.8	8,197	3,366	91.4	3,075	3,213	89.5	2,876
Monroe	4,915	67.8	3,333	....	....	....	2,021	74.2	1,500	2,894	63.3	1,833
Montgomery	82,139	95.1	78,076	63,626	95.4	60,712	13,765	95.2	13,109	4,748	89.6	4,255
Morgan	3,973	76.0	3,020	....	....	....	1,695	83.9	1,422	2,278	70.1	1,598
Morrow	4,571	83.7	3,824	....	....	....	2,039	86.2	1,757	2,532	81.6	2,067
Muskingham	19,845	89.0	17,656	10,962	92.5	10,143	5,088	88.4	4,499	3,795	79.4	3,014

OHIO—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Noble	4,017	68.7	2,760	....	....	....	1,660	75.3	1,250	2,357	64.1	1,510
Ottawa	6,886	91.0	6,264	1,357	96.8	1,313	3,371	92.0	3,102	2,158	85.7	1,849
Paulding	4,384	84.9	3,723	....	....	....	2,314	86.6	2,005	2,070	83.0	1,718
Perry	8,357	82.4	6,884	1,951	94.8	1,849	3,990	81.9	3,266	2,416	73.2	1,769
Pickaway	6,960	80.8	5,622	2,346	87.9	2,063	1,859	76.3	1,418	2,755	77.7	2,141
Pike	3,919	62.2	2,437	....	....	....	1,820	66.4	1,209	2,099	58.5	1,228
Portage	12,798	90.2	11,545	4,872	95.9	4,674	3,977	89.2	3,547	3,949	84.2	3,324
Preble	6,764	86.6	5,858	1,193	90.6	1,080	2,523	88.5	2,233	3,048	83.5	2,545
Putnam	6,493	88.9	5,775	....	....	....	3,259	90.5	2,950	3,234	87.3	2,825
Richland	20,050	92.6	18,570	12,707	95.9	12,188	4,077	89.7	3,658	3,266	83.4	2,724
Ross	13,095	80.2	10,516	5,755	93.0	5,355	3,356	74.8	2,509	3,984	66.6	2,652
Sandusky	11,691	92.3	10,791	6,176	95.3	5,885	2,557	92.1	2,356	2,958	86.2	2,550
Scioto	21,590	83.4	18,029	12,325	90.7	11,184	5,594	77.8	4,351	3,671	67.9	2,494
Seneca	13,205	91.2	12,047	7,756	95.1	7,373	2,120	87.1	1,847	3,329	84.9	2,827
Shelby	7,009	91.3	6,400	2,867	96.0	2,753	1,598	87.3	1,395	2,544	88.5	2,252
Stark	62,183	93.6	58,199	45,419	94.7	43,022	11,548	93.4	10,788	5,216	84.1	4,389
Summit	91,561	95.9	87,816	79,377	96.3	76,478	9,073	93.7	8,498	3,111	91.3	2,840
Trumbull	33,752	92.2	31,127	19,646	95.1	18,690	9,684	89.7	8,686	4,422	84.8	3,751
Tuscarawas	18,925	88.4	16,733	10,750	93.7	10,071	5,079	86.3	4,385	3,096	73.6	2,277
Union	5,757	87.8	5,056	1,248	95.7	1,194	1,813	85.5	1,551	2,696	85.7	2,311
Van Wert	7,667	90.7	6,956	3,569	95.6	3,412	1,281	88.0	1,128	2,817	85.8	2,416
Vinton	2,956	66.0	1,952	....	....	....	1,466	70.0	1,027	1,490	62.1	925
Warren	8,205	87.6	7,192	2,470	94.1	2,324	2,754	85.8	2,364	2,981	84.0	2,504
Washington	12,116	77.9	9,443	4,372	90.8	3,972	3,640	78.9	2,871	4,104	63.4	2,600
Wayne	13,497	86.3	11,639	5,479	95.6	5,236	3,945	85.6	3,378	4,073	74.3	3,025
Williams	7,662	90.9	6,969	2,884	96.7	2,790	1,862	91.2	1,698	2,916	85.1	2,481
Wood	14,581	91.0	13,268	4,029	94.6	3,812	5,885	91.2	5,367	4,667	87.6	4,089
Wyandot	5,439	87.3	4,747	2,055	94.7	1,946	1,108	84.1	932	2,276	82.1	1,869
State Total	1,897,796	91.7	1,739,399	1,291,248	95.1	1,227,295	338,164	87.8	296,949	268,384	80.2	215,155

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Akron	Summit	66,501	96.3	64,064
Canton	Stark	29,466	95.1	28,021
Cincinnati	Hamilton	135,809	93.2	126,592
Cleveland	Cuyahoga	242,267	95.3	230,980
Cleveland Heights	Cuyahoga	15,190	99.5	15,115
Columbus	Franklin	83,597	95.3	79,670
Dayton	Montgomery	59,740	95.2	56,887
East Cleveland	Cuyahoga	12,131	99.2	12,033
Elyria	Lorain	7,192	96.7	6,955
Hamilton	Butler	14,165	92.9	13,158
Lakewood	Cuyahoga	20,842	98.5	20,536
Lima	Allen	12,828	96.0	12,311
Lorain	Lorain	11,325	94.8	10,733
Mansfield	Richland	10,755	95.8	10,302
Marion	Marion	8,744	94.3	8,247
Massillon	Stark	7,319	92.8	6,789
Middletown	Butler	8,340	94.1	7,847
Newark	Licking	9,460	93.5	8,845
Norwood	Hamilton	9,946	98.8	9,830
Portsmouth	Scioto	10,865	91.2	9,909
Springfield	Clark	20,093	93.6	18,814
Steubenville	Jefferson	9,619	93.4	8,988
Toledo	Lucas	79,341	96.5	76,529
Warren	Trumbull	11,249	96.3	10,835
Youngstown	(Mahoning (Trumbull	41,197	93.6	38,562
Zanesville	Muskingham	10,962	92.5	10,143

NAB Research Department

August 5, 1942

FEDERAL COMMUNICATIONS COMMISSION

FLY OPPOSES TAX

Some rather extravagant demands have been made on the broadcast industry from adverse competitive sources that a heavy tax be laid on the industry, FCC Chairman James Lawrence Fly told his press conference on Monday.

"Of course we have been through that problem time and time again, and I think it is obvious to everybody that a tax of 25 or 30 million dollars on the industry as has been suggested from some quarters would be not merely unfortunate but it would be tragic from the standpoint of the industry."

Mr. Fly said further on this point that "the broadcast industry just simply couldn't carry any such burden." He said also that he doubted if this would receive any serious consideration.

Stories have been spreading in certain competing advertising circles, Mr. Fly told the conference also, "that radio stations may have to go off the air for lack of materials. Now that's a lot of eye wash. It is true that we have problems in the broadcasting industry just as there are in many industries and as there must be in competing industries. But I have talked this matter over with the WPB representative and others concerned with it and I find no reasonable justification for any such rumors. We not only plan to have the broadcasting industry continue to do its job but that is quite essential from the standpoint of general morale, war information, and other essential purposes. It is not merely true that every effort be made to keep broadcasting going but we see no basis for any suggestions that there be any demolition of the service. I think that it is very unfortunate that these adverse interests display themselves in these forms at a time like this. Broadcasting industry is doing a big job in the war effort. It is rendering a great deal of public service and is carrying on very splendidly. When it is moving along successfully with this burden it should not be bothered with this bunch of pups snipping at its heels all the way."

CLEVENGER TO FCC

The FCC announces the appointment of Russell R. Clevenger as Director of Information to fill that position during the absence of George O. Gillingham, now on active duty with the Army.

Mr. Clevenger was on the staff of the New York Times for five years, spending part of that time in Europe writing special articles. He has had wide experience in the field of public relations and is now on leave of absence as vice president of Albert Frank-Guenther Law, Inc. He received his B.A. and B.Litt., from Columbia University. Mr. Clevenger was born in 1899 at Wilmington, Ohio; is married and has one child.

During the past several years he has advised the following firms on their public relations: Warner Bros. Picture Corp.; Texas Corp.; Crucible Steel; Dow Chemical; New Jersey Central; Baltimore & Ohio; Consolidated Edison; National Power and Light; Virginia Public Service; Columbia Gas & Electric; Chase National Bank; Marine Midland Trust Co.; New York Curb Exchange and the Automatic Phonograph Manufacturers Assoc. In 1940 he established the public relations department of Broadcast Music, Inc., during the days that organization contested for music supply for broadcast radio with ASCAP, and he conducted its operations until March 1942. More recently he has been a consulting expert to the Secretary of the United States Treasury.

FCC QUESTIONNAIRE ON RECORDINGS

The Commission authorized the sending of a questionnaire within the next few days to all licensees of standard broadcasting stations seeking to learn the extent to which recordings and electrical transcriptions are used by the radio industry. The questionnaire also is to inform the Commission with respect to the problem raised by the recent cancellation of a broadcast scheduled to originate at Interlochen, Mich.

921 STATIONS

During the month of July, 1942, the Federal Communications Commission granted no permits for the construction of new stations, and no operating licenses were issued. Three CP stations and one licensed station were deleted. The stations deleted are as follows: CP Station KTOM, Brainerd, Michigan; CP Station KTRN, Tacoma, Washington; CP Station WHAL, Saginaw, Michigan; and licensed Station KFPL, Dublin, Texas.

A comparative table by month follows:

	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1
Operating	859	859	869	877	882	887	891	893	897	899	906	906	905
Construction	44	53	44	38	37	36	32	31	27	25	18	19	16
	903	912	913	915	919	923	923	924	924	924	924	925	921

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 17. They are subject to change.

Monday, August 17

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Modification of C. P., for extension of completion date to 8-17-42, under C. P. only; **1200 kc.,** 250 watts, amplifier stations: 100 watts, unlimited.

Tuesday, August 18

WLW—The Crosley Corporation, Cincinnati, Ohio.—C. P., **700 kc.,** 650 KW, unlimited, DA-night.

Thursday, August 20

WROL—S. E. Adcock, d/b as Stuart Broadcasting Co., Knoxville, Tenn.—Modification of license, **620 kc.,** 1 KW, unlimited, DA-night.

Friday, August 21

KHQ—Louis Wasmer, Inc., Spokane, Wash.—C. P., **590 kc.,** 5 KW night, 10 KW day, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KTTS—O. E. Jennings (Transferor), J. H. G. Cooper (Transferee), Independent Broadcasting Co. (Licensee), Springfield, Mo.—Granted consent to the acquisition of control by J. H. G. Cooper over the Independent Broadcasting Company, licensee of Station KTTS, through the purchase of 20 shares of common stock from O. E. Jennings, for a consideration of $1,000 or par value (B4-TC-306).

KWBW—The Nation's Center Broadcasting Co., Inc. (Assignor), William Wyse and Stanley Marsh (a partnership) doing business as The Nation's Center Broadcasting Co. (Assignee), Hutchinson, Kans.—Granted consent to assignment of license (B4-AL-342) for station KWBW, from The Nation's Center Broadcasting Co. to William Wyse and Stanley Marsh (a partnership) doing business as The Nation's Center Broadcasting Company.

W8XUM—WBNS, Inc., Columbus, Ohio.—Granted application for renewal of license for facsimile broadcast station.

DESIGNATED FOR HEARING

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Denied petition filed pursuant to Memorandum Opinion of April 27, 1942, to prosecute the application and designated for hearing said application for construction permit (B1-P-3374) to install a new transmitter, make changes in directional antenna system, and increase day and night power from 1 to 5 KW.

Raymond C. Hammett, Talladega, Ala.—Designated for hearing pursuant to policy with respect to new construction under the present emergency, application (B3-P-3365) for construction permit for new broadcast station to operate on **1230 kc.,** 250 watts, unlimited time.

John W. Choate, Leonore V. Choate, E. P. Nicholson, Jr., and John Wallbrecht (a partnership), Middlesboro, Ky.—Designated for hearing pursuant to policy with respect to new construction under the present emergency, application (B3-P-3493) for construction permit for new broadcast station to operate on **1230 kc.,** 250 watts, unlimited time.

MISCELLANEOUS

Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.—Granted petition for an extension of time within which exceptions may be filed to the proposed findings of fact and conclusions of the Commission on its application (Docket 6135) and those of Central Broadcasting Co. (Docket 6169), Northeastern Pennsylvania Broadcasters, Inc. (Docket 6170), and Key Broadcasters, Inc. (Docket 6171) for new standard broadcast stations; time extended for five days—from August 7 to August 12, 1942.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted modification of construction permit as modified, which authorized installation of new transmitter and directional antenna for day and night use, increase in power, change in frequency, and move of transmitter, for changes in transmitting equipment (B3-MP-1620).

South Florida Broadcasting, Inc., Miami, Fla.—Granted petition for an extension of time within which to file its proposed findings and conclusions on its application for a construction permit for a new standard broadcast station (Docket No. 6153); time extended 10 days.

KPAC—Port Arthur College, Port Arthur, Texas.—Denied petition to grant application for modification of license without hearing, and ordered the issues heretofore released to be amended.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted petition to dismiss without prejudice application for modification of construction permit for approval of directional antenna for day and night use. (Docket 6262)

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted petition to dismiss without prejudice application for construction permit to operate on **1410 kc.,** 1 KW, unlimited, directional antenna at night. (Docket 5994)

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted motion to dismiss without prejudice application for construction permit to operate on **1340 kc.,** 250 watts, sharing WHAT. (Docket 6305)

LaCrosse Tribune Co., LaCrosse, Wisc.—Granted petition to dismiss without prejudice and cancel hearing on application for construction permit for new high frequency station. (Docket 6373)

Herald Publishing Co., Klamath Falls, Ore.—Granted petition to dismiss without prejudice application for construction permit for new standard broadcast station. (Docket 6090)

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah.—Granted petition to dismiss without prejudice application for construction permit to operate on **1160 kc.,** 500 KW, unlimited time. (Docket 4361)

WMAW—C. T. Sherer Co., Inc., Worcester, Mass.—Granted petition to dismiss without prejudice application for modification of construction permit for extension of completion date to August 17, 1942. (Docket 6313)

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—Granted motion to dismiss without hearing application for construction permit to operate on **1470 kc.,** 1 KW, directional antenna day and night, unlimited time. (Docket 6381)

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted motion to dismiss without hearing application for construction permit to operate on **1480 kc.,** 5 KW, unlimited, directional antenna day and night. (Docket 6382)

WLW—The Crosley Corp., Cincinnati, Ohio.—Granted motion for leave to amend application so as to eliminate the need for any construction by reducing power requested and eliminating directional antenna; amendment to be filed within 15 days; dismissed without prejudice request for removal from hearing docket; on Commission's own motion continued hearing now set for August 18 to October 19, 1942. (Docket 6341)

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted motion for continuance of hearing on application for construction permit to operate on **590 kc.,** 5 KW night, 10 KW day, unlimited time, now set for August 21 to September 28, 1942. (Docket 6342)

J. C. Kaynor, Ellensburg, Wash.—Granted motion for continuance of hearing on application for new station, now set for August 26 to September 29, 1942. (Docket 5965)

APPLICATIONS FILED AT FCC

1240 Kilocycles

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa—Modification of construction permit (B4-P-3178 as modified) which authorized construction of new station for extension of completion date from 8-16-42 to 11-16-42.

1250 Kilocycles

WDAE—Tampa Times Company, Tampa, Fla.—Special Service Authorization to operate on **770 kc.,** with power of 5 KW, unlimited time, employing directional antenna for night use.

1270 Kilocycles

WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Modification of construction permit (B3-P-3385 as modified) which authorized construction of a new standard broadcast station requesting change in type of transmitter, change type of frequency monitor and extension of commencement and completion dates of construction.

1290 Kilocycles

WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Modification of construction permit (B3-P-3259) which authorized installation of new transmitter, directional antenna for night use, change frequency, increase power and move transmitter for extension of completion date from 9-6-42 to 11-5-42.

1340 Kilocycles

WALL—Community Broadcasting Corp., Middletown, N. Y.—License to cover construction permit (B1-P-2594 as modified) which authorized construction of new standard broadcast station.

WALL—Community Broadcasting Corp., Middletown, N. Y.—Authority to determine operating power by direct measurement of antenna power.

1380 Kilocycles

WSYB—Philip Weiss, trading as Philip Weiss Music Co., Rutland, Vermont—License to cover construction permit (B1-P-3090 as modified) which authorized change in frequency, increase in power, installation of new transmitter, directional antenna for night use.

WSYB—Philip Weiss, trading as Philip Weiss Music Co., Rutland, Vermont—Authority to determine operating power by direct measurement of antenna power.

MISCELLANEOUS APPLICATIONS

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of license to add the frequency of **9480 kc.** to present licensed frequencies, sharing time with WCDA and WCRC on this frequency.

WCDA—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of license to add the frequency of **9480 kc.** to present licensed frequencies, sharing time with WCBX and WCRC on this frequency.

WCRC—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of license to add the frequency of **9480 kc.** to present licensed frequencies, sharing time with WCBX and WCDA on this frequency.

KRED—Redwood Broadcasting Co., Inc., Portable-Mobile, area of Eureka, Calif.—Construction permit for reinstatement of (B5-PRY-263) which expired 7-19-42 which authorized construction of new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 75 watts, A3 Emission.

WBCZ—WHEB, Inc., Portable-Mobile area of Portsmouth, N. H.—License to cover construction permit (B1-PRE-416) which authorized construction of new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Philip Morris and R. J. Reynolds—Complaints have been issued charging Philip Morris & Co., Ltd., Inc., and R. J. Reynolds Tobacco Co., manufacturers and distributors of cigarettes and smoking tobacco, with misrepresentation and false advertising. Philip Morris cigarettes, Dunhill cigarettes and Revelation smoking tobacco are named in the complaint against the Philip Morris company as the products misrepresented, and Camel cigarettes and Prince Albert smoking tobacco are involved in the complaint against the Reynolds company. Both complaints allege that in newspaper advertising, radio broadcasts and through other media the respondents have made false and misleading representations concerning the merits of their products. (4794-4795)

Neva-Wet Corporation of America, 500 Fifth Ave., and Neva-Wet Bottling Co., Inc., 683 Fifth Ave., New York, and Samuel Howard Lefkowitz and Irving Lefkowitz, as officials of both companies and also trading as Sani-Age Co. and Sani-Age Corporation of America, are charged in a complaint with misrepresentation. (4793)

Westinghouse Electric Supply Company et al.—Nine complaints involving collusion and fraudulent bidding in connection with Navy Department shipyard contracts have been issued. The bids were on electrical and construction materials required to rehabilitate the facilities of the Cramp Shipbuilding Company, Philadelphia. The respondents and their agents, most of whom are located in Philadelphia, are engaged in selling either electrical supplies, mill work, lumber, or other building materials, and machinery.

The respondents named in the complaints are:

Westinghouse Electric Supply Company and R. R. Dewees, as its agent; Grater-Bodey Company and S. W. Roberts as its president; J. P. Rainey, trading as J. P. Rainey & Company; James A. Clancy, M. A. Webster, and Joseph R. Duffy, trading as J. R. Duffy Manufacturing Company; American Steel and Wire Company of New Jersey; Walter H. Cave, as agent of Cyclone Fence Company and American Steel and Wire Company of New Jersey; Paul W. Crawford, trading as Adams-Crawford Company, and A. F. Crawford as agent of the company; P. J. McBride and George B. McClennen, trading as Delta Equipment Company; Russell Keely and F. Oliver Keely, individually and trading as S. S. Keely & Sons; A. Wilt & Sons Company and Frank R. Bowers as president; Frank L. O'Brien and Clarence J. O'Brien, individually and trading as The O'Brien Machinery Company; William J. Cattie, trading as Cattie Tool Company; W. B. Rapp; Walker Brothers and Anthony M. Callanan, individually and as vice president of Walker Brothers and Adelphia Electric Company, and Norman T. Liethold, individually and as secretary of the company; and Charles F. Rohleder and his agents, Allen McLaine Ward and J. R. Baldridge, Jr. (4708 to 4807)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Empire Merchandise Corp., et al.—Orders to discontinue the use of lottery methods in the sale and distribution of merchandise and candy have been issued against Empire Merchandise Corp. and Sophie Rubman, an officer of the corporation, 414 Broadway, New York; Popular Products Corp. and Mitchell Cinader and Esther Cinader, officers of the corporation, 243 West 17th St., New York; and Vinton T. James and George E. James, doing business as J. and J. Candy Co., 1507 West Trade St., Charlotte, N. C. (3357-3479-4769)

Rudolph Wurlitzer Co., 121 East Fourth St., Cincinnati, has been ordered to cease and desist from misrepresentation in connection with the sale of pianos covered or finished in whole or in part with a material designated "Kordevon." (4525)

Tiger Yarn Co., Minnette Yarn Co., Bengo Yarn Shop, and Goldman's Yarn Shop, 1643 Bathgate Ave., New York, has been ordered to cease and desist from misrepresentation in the distribution and sale of certain knitting yarns. (4625)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Brown & Williamson Tobacco Corp., Louisville, Ky., stipulated to cease certain representations in the sale of "Kool" mentholated cigarettes. (3486)

Morck Brush Manufacturing Co., 236 Eighth St., San Francisco, engaged in the manufacture of paint and brushes, including so-called Morck Speed-Line Brushes, one type of which is designated "No. 248 Stucco Brush," has entered into a stipulation to cease and desist from use in advertising matter of any representation that its brushes will give 65 per cent more coverage, or wear, or last 50 per cent longer, or have 20 per cent more carrying capacity than other brushes of comparable size and quality on the competitive market; and from using any representation which may convey the belief to prospective purchasers that its brushes possess either coverage, wearing or carrying capacity qualities in excess of what is actually the fact, or that they exceed the coverage, wearing or carrying capacity qualities of comparable competitive brushes in any represented amount when such indicated superiority does not exist. (3514)

Anna Plotz, 2315 South Central Park Ave., Chicago, engaged in the preparation and sale of "Kitrab," a salve having an iodine content and alleged to be useful as a treatment for goiter and scrofula, has stipulated in connection with the sale and distribution of the product, to cease and desist from any representation which conveys the impression or belief that its use constitutes a cure or competent treatment for scrofula or goiter generally or any type of goiter other than simple goiter arising from iodine deficiency. The respondent also agrees to cease any representations which attribute to the product, when used by sufferers from goiter, scrofula or similar diseases, any therapeutic values or effects in excess of what it actually possesses. (3513)

ThoroBread Co., Inc., 1125 West Sixth St., Cincinnati, engaged in selling certain dry dog food preparations designated "ThoroBread T Squares (biscuits)," "ThoroBread Kibbled." "ThoroBread Fine Kibbled (meal)," and "ThoroBread Meat Cereal Dog Feed," and The Keelor & Stites Co., 3001 Carew Tower, Cincinnati, advertising agency which disseminates advertisements for the ThoroBread corporation, have stipulated to cease and desist from using the terms "meat," "dehydrated meat," "meat cereal," or any other terms of similar import to describe dehydrated meat meal or any product which is not meat. (03034)

Veltex Co. and Vi-Co Sales Co., 1811 First Ave., North, Birmingham, Ala., engaged in selling a medicinal preparation designated "Vi-Co Compound," have stipulated to discontinue representing that the preparation is a vegetable and mineral compound; that it will afford relief for indigestion or sour stomach; that they guarantee any specific profit or any specific investment of money made by purchasers of the preparation; and that prospective agents, salesmen, distributors, dealers or other representatives can make profits or earnings within a specified period of time which are in excess of the average net earnings consistently made in like periods of time by active full-time agents, salesmen or other representatives in the ordinary and usual course of business and under normal conditions and circumstances. (03033)

FTC CLOSES CASES

The Federal Trade Commission has closed without prejudice the case growing out of the complaint against Economy Sales Co., Inc., and Samuel Knight, alias Samuel Nitke, Jersey City, N. J., charged with the use of lottery methods in the distribution and sale of merchandise. The corporate respondent no longer is in existence, having been dissolved by proclamation of the Secretary of State of New York.

The Commission has also ordered that the case growing out of its complaint against Stayner Corp. and Erwin, Wasey & Company of the Pacific Coast, both of San Francisco, be closed as to the latter respondent.

Stayner Corp. is engaged in compounding and selling a medicinal preparation designated "Minra," and advertisements of the product were prepared by Erwin, Wasey & Company of the Pacific Coast, an advertising agency. The complaint alleged that both respondents had disseminated advertisements containing false representations concerning the therapeutic value of Minra.

A stipulation as to the facts and an agreement to cease and desist having been entered into by Erwin, Wasey & Company of the Pacific Coast, the Commission ordered the case against it closed without prejudice.

Under the stipulation, Erwin, Wasey & Company of the Pacific Coast agrees to discontinue disseminating any advertisement which represents, among other things, that the preparation is a remedy or cure for acidosis, indigestion, influenza, infection, headaches, or toxemia; that it furnishes the necessary materials to produce sound teeth, bones, muscles, or good health, and that it gives protection against mineral deficiencies.

The advertising agency further agrees to cease and desist from representing that any of the results claimed for Minra have been proved by tests made at universities or colleges, or by competent trainers or coaches, or on college athletes.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 33, August 21, 1942

Talent Fees

A question regarding "talent fees" under the Wage and Hour Act is becoming increasingly serious.

Several stations have been forced to pay out considerable sums in "back-pay" because they had calculated announcers' overtime on a salary basis rather than a gross earnings basis.

The Wage and Hour Division of the U. S. Department of Labor contends that the gross earnings basis is the proper basis for calculating overtime when talent fees are involved.

We contend that this is not always correct. We contend that an announcer while working on a commercial program is often, in fact, the employee of the sponsor. Hence, when the announcer is the employee of the sponsor, his talent fee should not be added to his station salary in determining his overtime rate.

The Wage and Hour people have advised us that they are willing to modify their opinion if we can convince them that they have erred. This we shall endeavor to do.

Meantime, it would be well for all stations to look at the facts in their own cases, to see whether their announcers' overtime should be based on station salary or gross earnings.

This whole problem disappears, if (1) the announcers involved are limited to a 40-hour week, or (2) the announcers can be classified as professional employees. In neither case need any overtime be paid, as far as the law goes.

With the growing shortage of manpower, however, a strict 40-hour week for all announcers is impractical. Many announcers can be classified as professional employees, but the $200-a-month factor eliminates many others. For the definition of a professional employee, see the NAB Wage and Hour booklet, page 11.

The Wage and Hour people's "gross earnings" theory grows out of the extremely broad definition of the word "to employ" in the Wage and Hour Act itself. "To employ" is defined as "to suffer or permit to work." To the best of our knowledge there has been no comprehensive judicial interpretation of that definition. And so we must turn to what might be called the common standards for establishing the employer-employee relationship.

Who *in fact* hires and fires the man? Who pays him? Where does he work? Who directs or controls his work? Whose tools does he use? Who pays his social security taxes?

These are basic questions. In the complicated talent fee structure now existing in the broadcasting industry there are many others. Just for instance, is the station acting merely as the agent for talent or sponsor in establishing the relationship? Even if the station actually pays the talent, isn't the station just acting as paying agent for the sponsor?

Is the station paying the announcer his salary while he is working for a sponsor, or does he "mark out" that period?

To make all this a little more clear, let us cite some examples. A highly paid staff announcer at one of the large New York network stations is approached by an advertiser to handle a network commercial out of his regular hours as a staff announcer. The advertiser clearly is the employer, because he hires and fires directly, directs and controls the announcer's work and pays his social security tax.

In this case, then, any overtime the announcer put in on his staff job would be based on his staff salary and not on his gross earnings, because the network was not the employer of this announcer while he was working on the commercial program.

(This announcer probably would be classified as a professional employee anyway, but we cite the case as a good example of a clear employer-employee relationship between the advertiser and the announcer.)

On the other hand, take the case of an announcer who is doing a news broadcast in a small station. Without even knowing that announcer's name, an advertiser starts to sponsor that newscast. The advertiser is billed for $100 time and $10 talent. The talent fee is turned over to the announcer. The station retains complete direction and control over the announcer's work. The station hired him and, in fact, is free to fire him at any time.

In this case, the station appears clearly to be the employer and the announcer's overtime rate must be based on his staff salary plus his fee.

In between these two extremes are hundreds of variations. Probably you have some variation in your station. If you do, please send every detail to the NAB for our opinion. We are convinced that the sponsor is the employer in many cases. If the facts in your case do not warrant this opinion, we will be glad to suggest changes. Better safe than sorry.

We are in entire sympathy with AFRA's contention that the overtime provisions of AFRA contracts should be accepted as legal. These contracts provide that overtime should be based on staff salary and not on gross earnings. Those hours spent on "fee" jobs, under AFRA contracts, are marked out of working hours, in recognition of the principle that the announcer is not working for the station when he is handling a commercial program for a sponsor.

The Belo decision supplies the possibility of a partial but far from a whole answer to this problem. The Supreme Court stated that there was nothing in the Wage and Hour Act to prevent payment of *more* than time and one half for overtime.

And so, if an announcer works on a commercial *after the completion of his regular work week*, the fee he receives undoubtedly is greater than his regular overtime rate. Hence his fee would be ample compensation.

Don't get stuck for any undue back pay. If in doubt, write the NAB.

REPORTS UNTRUE THAT U. S. PLANS TO CLOSE STATIONS

Considerable anxiety was created within the industry by a news story to the effect that WPB had recommended to the Federal Communications Commission that "All radio stations, with the exception of a number of key stations scattered throughout the country, should shut down operations at midnight."

The story went on to the effect that suggestions had been drawn up by the Communications Branch of the WPB which called for the operation after midnight of certain large stations for emergency purposes only. It further said that "Small radio stations or chains

(Continued on page 502)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

REPORTS UNTRUE THAT U. S. PLANS TO CLOSE STATIONS

(Continued from page 501)

which are experiencing difficult times because of the war as a result of lower earnings should be taken off the air, the WPB believes. It contends that these stations should be permitted to cease operations voluntarily and to resume after the war."

Many stations have written to NAB, evidently thinking that some discussions were being carried on about the subject of compelling certain stations to cease operation as a means of conserving materials. Such is not the case and NAB has so advised those inquiring.

There have been almost continuous discussions between representatives of the industry, the FCC and the Communications Branch of the WPB on the subject of material conservation. At no time in these discussions has the slightest suggestion or intimation been made of any arbitrary or compulsory orders regarding operation. Some operators have been apprehensive as to the future and have made inquiries as to whether or not consideration is being given to the possibility of curtailing the hours of service required under their license and the effect which such curtailment might have upon the license. This gave rise to a discussion of the wisdom of permitting licensees to voluntarily curtail service.

FCC Chairman James Lawrence Fly at his press conference on Monday discussed this subject and observed that the newspaper accounts referred to "are markedly out of order."

Mr. Fly told the conference that "no measure has been suggested by anyone in the government or in the industry which is not aimed toward establishing stability and durability of broadcast service and coverage."

Mr. Fly said that no suggestion has been made which would result in any real impairment of the service being rendered to the public by radio or the service rendered to advertisers. "There have been a number of points raised," he said, "for consideration from different sources, including our own staff and including the staffs of the WPB, but all of those suggestions are aimed along constructive lines."

The various suggestions, Mr. Fly said, will be given study by the Domestic Broadcasting Committee of the Board of War Communications. That will be done promptly.

The survey of tubes, Mr. Fly said, was conducted by the Board and "I don't think that returns are complete yet and of course it is essential that the committee have the benefit of that survey since the tubes are almost undoubtedly at choke point. I have great confidence that we shall come off with some constructive results in terms of conservation and in the renewed assurances of continuity and stability. In light of the job which broadcasting has been doing for the war effort I don't think anyone will sit by and permit that service to be impaired."

WPB CONSOLIDATION

All wireless communication equipment requirements, civilian and military, have been consolidated under the direction of the Radio and Radar Branch of the Aircraft Production Division, the War Production Board announced.

Formerly there were two groups that covered this field. The Radio and Radar Branch handled military requirements and the Radio Section of the Communications Branch handled civilian requirements. The latter section has been transferred to the Radio and Radar Branch and has been named the Civilian Radio Section.

Frank H. McIntosh, who was chief of the section under the Communications Branch, will continue to be chief under the Radio and Radar Branch. Ray C. Ellis, chief of the Radio and Radar Branch, will head the augmented group.

A. F. OF M.

In place of the special A. F. of M. bulletin which has been instituted to acquaint NAB members with developments in the musicians situation, there will be mailed to stations this week from New York a broadside containing some of the outstanding editorials inspired in the nation's press by the ban against recordings.

Thus you will be given an advance mailing of this broadside which will be widely distributed next week among heads of influential organizations, members of appropriate House and Senate Committees, Federal officials, newspaper columnists and radio commentators, chief editorial writers and other leaders in forming public opinion.

That the country is thoroughly aroused and overwhelmingly critical of the ban on recordings is definitely shown in the more than 9,000 press clippings already received at NAB New York office.

WAR DAMAGE INSURANCE

Broadcast studios, transmitter buildings and towers come under Occupancy Code 14, the War Damage Corporation stated this week in response to NAB's plea for classification under Occupancy Codes 4 and 5. All communications systems, it was said, are military objectives and consequently command rates appropriate to such a classification. Buildings and structures taking the rates provided for Occupancy Code 14, if of fire resistant construction according to fire insurance standards (classifiable under Construction Code 1), receive substantial credits in rates which bring the net rates down to the level of Occupancy Code 5.

The War Damage Corporation's letter of August 19 to NAB Counsel, Russell Place, reads as follows:

"Your letters of the 3rd of July and 7th of August were considered by the Directors of the War Damage Corporation at a recent meeting and Occupancy Code Classification No. 14, as provided under Regulations "A" of the War Damage Corporation, was re-affirmed.

"Communication systems, as such, have been considered as military objectives and consequently commanding the rates appropriate to such a classification. May we draw your attention to modifications which have been bulletined since July 1st as to broadcasting stations housed in office buildings or hotels, or any other class of business. The predominant occupancy by area governs the classification of tenants. Consequently, radio broadcasting equipment within a hotel or mercantile building would enjoy the rates as provided at Occupancy Code 04. However, where the predominant occupancy would be the broadcasting facility, the rates provided at Code 14 would apply, but in your connection we draw your attention to Memorandum No. 6 issued by the War Damage Corporation to its Fiduciary Agents on July 25th, 1942. Item 13 modifies the original rates as published in connection with Occupancy Code 14 to give effect to construction eligible for Construction Code No. 1 classification. For your reference I attach an excerpt from the Memorandum, quoting in detail the revised ruling.

"Consequently, it appears that the objectives sought through your letters of the 3rd of July and 7th of August have been achieved as outlined above."

EXCERPT FROM MEMORANDUM TO FIDUCIARY AGENTS NO. 6—JULY 25, 1942

"13. *Utility Properties.* The rates applicable to publicly or privately owned utilities as set forth in the Rate Schedule opposite Occupancy Code No. 14 do not provide any credits for fire resistive construction. Notwithstanding, utility properties classifiable under Construction Code No. 1 are eligible for the following rates, effective Juy 1, 1942:

Coinsurance and Annual Rates			
50%	80%	90%	100%
.20	.14	.13	.12"

Radio Classes Prove Worth

HUNDREDS MORE NEEDED

WHEN noses were counted last spring there were Radio Technician Training Courses in 46 states with a total enrollment in excess of 20,000.

More proposals from state schools are being OK'd currently and broadcast engineers are still assisting educators in the teaching job. Reasons why the Engineering, Science, Management, Defense Training-NAB radio program is so highly regarded by the military and industry are two: (1) it is effective; and (2) there is no loss in production while students learn.

Memo to Managers:

“1942 WAR IS RUN BY RADIO”

Urge Educators
To Arrange More
Radio Classes

INTERVIEW — TELEPHONE — TELEGRAPH !

It's not only how much we do but how quickly we do it that counts in winning this war.

Hundreds more radio classes are needed and needed without delay. Urge educators to send their proposals for more night classes and sections of “Fundamentals of Radio” to the ESMDT Director, U. S. Office of Education, Washington, D. C. Please make this your first order of business. We can't win with too little, too late.

Be sure to keep us advised. Course outlines available on application

The Big Need

The big need as stated a year ago, is for people grounded in the fundamentals of radio. That's exactly what students get when they complete Parts I and II of “Fundamentals of Radio.” Then graduates can absorb specialized training. Many can pass a first class radiotelephone license examination with a few weeks of extra study.

News from the Teaching Front

Rutgers and New Jersey

Ordinarily it would be poor psychology to lead off with the account of what is undoubtedly the largest pre-service radio teaching job in the country. But this is being risked because the Nation, as a whole, made one big mistake in the beginning. It failed to make plans that were big enough. That applies to everything we did. So we do need hundreds of additional classes in “Fundamentals of Radio” . . . as many as qualified institutions have the facilities for teaching. And even then sufficient personnel will be lacking.

At any rate, here's the Rutgers and New Jersey story, in part, from M. A. Chaffee, associate director, Engineering Defense Training, Rutgers University:

“Rutgers University is very much alive to the old NAB course in radio. After enrolling, last January, over 2,000 in ‘Fundamentals of Radio, I,’ we started in June on ‘Fundamentals of Radio, II,’ with 1,000 students carried over from the first course. We could easily have taken 1,500 but were limited by Washington to 1,000. Part II is now operating very successfully with about 125 already enlisted in the Enlisted Reserve Corps of the U. S. Signal Corps. We helped Governors Island in obtaining these enlistments.”

Between 1,500 and 3,000 men are now being recruited for “Fundamentals of Radio, I,” with simultaneous enlistment in the Enlisted Reserve Corps of the U. S. Signal Corps. To save time, listeners to the radio recruiting announcements and programs are directed to write Rutgers direct.

All Stations Active

The recruiting campaign began over WOR on July 27. It was augmented on the thirtieth when Captain Kenneth A. Laplant, enlistment officer, Second Service Command Area, Governors Island, and Mr. Chaffee went on the air at 6:25 P. M.

As soon as possible thereafter, men from Mr. Chaffee's office made personal calls on WBAB, and WFPG, Atlantic City; WTNJ, Trenton; WAWZ, Zarephath; WCAP, Asbury Park; WSNJ, Bridgeton; WCAM, Camden; WAAT, and WHOM, Jersey City; WHBI, Newark; WPAT, Paterson; WBRB, Red Bank; and WTTM, Trenton, in order that the size and importance of the job might be explained in detail. Calls were preceded by a letter from the NAB War Committee.

In addition to the above, Rutgers has found time to give additional radio instruction. One hundred ninety-six out of 200 students in Civil Service Junior Engineering aids, from Philadelphia

Signal Depot, recently finished their course—a total of 576 hours of pre-radar. One hundred additional students started a similar course, 12 weeks of 48 hours per week, on August 3.

Louisville Activity

The University of Louisville and the Louisville broadcasters continue their cooperation in the radio technician training program. Three sections of "Fundamentals of Radio, II," began August 10. In September three classes of "Fundamentals of Radio, I," will be started. This is in addition to the six earlier sections.

Information came from W. E. Hudson, chief engineer WAVE, and industry engineering advisor for the program. All instructors for the courses are technical men from Stations WHAS and WAVE. While several instructors have been called to the armed forces, competent replacements from station staffs have so far been available. Mr. Hudson wrote that:

"Representatives of the University of Louisville are to be complimented on their efforts in cooperating and supervising to make this course a success."

Rockford Going Strong

WROK, Rockford, is again engaged in recruiting students for "Fundamentals of Radio" under direction of the University of Illinois Extension Division.

Classes begin September 14. The teaching staff includes two WROK engineers, Thomas C. Cameron and Maurice Nelson. Bill Traum, station promotion director, said that many of the students of the first "Fundamentals of Radio" course, last spring, are now in the Signal Corps.

Jamestown, N. Y.

Simon Goldman, manager, WJTN, has been in contact with Paul B. Orviss, director of the New York State Agricultural and Technical Institute at Alfred University, as to future plans with the ESMDT-NAB course. Alfred is now operating two courses in Jamestown and in many other cities in that general area of New York.

Mr. Orviss indicated that there would be marked expansion in the radio training program. As reported by Mr. Goldman, Director Orviss said, "The desire at the present time seems to have us expand the program as much as possible, both in the old areas and also in the new areas."

Manager Goldman wrote that the reactions by the students themselves are very fine and there have been vast benefits locally through the radio instruction.

Manhattan College

Several weeks ago, Brother Amandus Leo, Dean of Engineering, Manhattan College, NYC, visited NAB headquarters to learn whether the Signal Corps, in particular, had any additional constructive suggestions to make about "Fundamentals of Radio."

He was put on the telephone to the proper officer and learned that the big demand, as previously announced by NAB, is for men trained in the "Fundamentals of Radio." Without first acquiring fundamentals, it is impossible to train a man for real specialized communication tasks in any service. Manhattan is teaching both I and II of Fundamentals of Radio.

State of Wisconsin

Over a month ago, a report from Dean F. Ellis Johnson and A. G. Pulver, ESMDT Director, University of Wisconsin, and Ed Allen, WIBA, industry representative, stated that 12 "Fundamentals of Radio" classes with approximately 350 students in ten cities had been started since May; and that more would be started as soon as ok had been received from ESMDT, Washington. These cities are:

Appleton
Ashland
Eau Claire
Hurley
Marinette
Medford
Wausau
Wis. Rapids
Madison
Green Bay, St. Norbert's College

Classes, outside of Milwaukee, begun last March, produced over 500 graduates.

More Classes Needed

No present teaching activities conflict with the ESMDT-NAB program. Major Richard R. Kilgore, U. S. Army Signal Corps, Military Personnel Division, Washington, and Captain J. Elroy McCaw, Army Air Forces, War Department, Washington, have authorized us to say to you and all other interested persons that the need is for as many ESMDT-NAB radio classes as possible. This takes into consideration the various other radio training classes now formed or contemplated.

New Book Written for Course

Prentice-Hall, book publishers, 70 Fifth Avenue, New York City, has published "Fundamentals of Radio" for use with the course outline, "Fundamentals of Radio, I and II." The book was edited by Dr. W. L. Everitt, Professor of Electrical Engineering, Ohio State University, now on duty as Chief Consultant on Air Communication to the Chief Signal Officer of the Signal Corps. The authors are: Edward C. Jordan, Instructor in Electrical Engineering, Ohio State University; Paul H. Nelson, Assistant Professor of Electrical Engineering, The University of Connecticut; William Carl Osterbrock, Professor of Electrical Engineering, University of Cincinnati; Fred H. Pumphrey, Professor of Electrical Engineering, Rutgers University, now on leave as a Major in the military training branch of the Signal Corps; Lynne C. Smeby, former NAB Director of Engineering, now consultant on air communication for the Signal Corps, and associated with Dr. Everitt.

Programs for Victory

BING CROSBY AIDS BOND SALE AT KFBC

Uncle Sam was $15,000 richer after a bond sale held in the studios of KFBC, Cheyenne, Wyo., August 11. Bing Crosby, Phil Silvers and Jimmy Van Heusen, in town for a USO Camp Show at Fort Francis E. Warren, visited the studios and conducted a whirl-wind bond selling campaign and an impromptu ad lib show. Many bonds were purchased in the offices of KFBC during the campaign and many others were ordered over the phone. A novel idea for the sale created tremendous interest as the largest bond purchaser, A. V. Tyrrell, local Chevrolet dealer, who purchased $2,000 in bonds, was the winner of a song dedicated and sung by Bing Crosby.

William C. Grove, manager of KFBC, made arrangements for the program with A. E. Wilde, state administrator for the War Savings Staff, and Hy Blane, traveling USO Camp Show Representative. The affair was "MC'd" by Art Peterson, KFBC Production Manager.

KXOK PUTS SHOWMANSHIP IN DRIVE

KXOK, the St. Louis Star-Times and the Fanchon and Marco St. Louis Amusement Company chain of theatres, have joined forces in an all out drive to collect every spare ounce of rubber and scrap metal in Greater St. Louis, in direct response to the nation's needs, for the production of war material.

In addition to free admission to the thirty-one theatres to anyone bringing in scrap material, two live western Pinto horses, completely equipped, will be given away to the two boys or girls bringing in the largest amount of material.

In order to promote the campaign, horses completely equipped and ridden by western-costumed riders are touring the city, the thirty-one theatres are running screen trailers, KXOK is running interviews, spots and programs calling attention to the drive, and the Star-Times is playing the drive in the news columns.

All money received for salvage of the scrap metal and rubber will be turned over to the USO in St. Louis to be used for the purchase of needed furniture and equipment.

KGNC BOND-WAGON

KGNC, Amarillo, Texas, inaugurated, on August 11, the first of a weekly series of studio programs expressly designed to promote the sale of War Bonds, for which the station has been appointed issuing agent.

According to Raymond Hollingsworth, assistant manager, the program will continue to feature a completely new cast of popular entertainers and guest speakers each week. KGNC Bond-Wagon of the Air is broadcast 7:30-8:00 p. m.

Members of the station War Bond Department will be on hand to issue bonds to studio visitors who wish immediate purchases. Others are invited to phone their names and addresses.

M-3 IS BOND SALES OFFICE

A photograph arrived this morning of the WMBD Victory Tank. This is a reproduction of the M-3, commonly referred to as the "General Grant," and was built by E. B. Hulsebus and Wallace Nyberg, of the Home Building Service division, Peoples' Federal Savings and Loan Association of Peoria, issuing agents of war bonds and stamps for radio station WMBD. It looks like the real thing. The tank is insulated and air conditioned for use in winter and summer. The booth is open six days a week, 9 a. m. to 5:30 p. m. Various WMBD entertainers come to the Victory Tank at announced times.

For the first two weeks of the plan to sell bonds and stamps over the air the total sale was $26,327.65. Since there are four special shows plugging the sale over WMBD, aside from booth sales, it is expected that the monthly total will exceed the $50.000 mark.

WPAT SAYS "SWEET AND LOW"

Since a great many three-shift war workers are located in the territory served by WPAT, Paterson, N. J., Henry Miller, program director, is promoting the idea of keeping radio volume down at all times.

One of his announcements reads, "Maybe you like this program. We're glad if you do. But there may be a fellow trying to sleep near you, who has been working all night in a war plant. And he probably doesn't want to hear it. So keep your radio low, please."

READER'S DIGEST ARTICLE

The article, "Radio's Plug-Uglies," in the August issue of the *Reader's Digest* has been the subject of considerable correspondence between the stations and the NAB.

An effort is being made to obtain the early printing of a factual reply to the article. It seems to be agreed that the best answer to the charges and insinuations made in this article is a recitation of the facts regarding radio advertising and the results which it has produced. Word has come to NAB that several trade publications will shortly run articles responsive to the charges made in the *Reader's Digest* article.

NAB is following the situation very closely and will do all within its power to offset any misconceptions which the article may have created.

1942 PEABODY RADIO AWARDS

Merritorious public service by individual radio stations, regional and local, will this year be recognized in the George Foster Peabody radio awards.

This was decided at a meeting Thursday of a committee of the Board at the NAB offices. This meeting was attended by Edward Weeks, Boston, editor, *Atlantic Monthly;* Neville Miller, C. E. Arney, Jr., and Joseph L. Miller of NAB; John E. Drury, dean, Henry W. Grady School of Journalism, the University of Georgia.

December 15 was set as the closing date for this year's entries. Proper forms may be secured from either the NAB offices in Washington or from Dean Drury.

Last year the Peabody awards went primarily to programs. The year before stations and networks were recognized. For 1942 both programs and stations are to be eligible.

The Peabody awards, as originally set up, were designed to recognize the most disinterested and meritious public service rendered each year by the broadcasting industry, and to "perpetuate the memory of George Foster Peabody, benefactor and life trustee of the University of Georgia, and friend of educational progress everywhere."

This original purpose will be borne in mind in this year's selections, but an effort will be made to narrow the bases of measurement, both in terms of stations and programs.

Awards will be made in at least six categories:

1. That program or series of programs inaugurated and broadcast during 1942 by a regional station which made an outstanding contribution to the welfare of the community the station serves.
2. That program or series of programs inaugurated and broadcast during 1942 by a local station which made an outstanding contribution to the welfare of the community the station serves.
3. Outstanding reporting of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program.

The awards under reporting, drama, music and education may go to either a station or a network program.

TAX ADVERTISING

Any station knowing of a provision in a city charter permitting the city to use radio facilities in advertising water taxes, poll taxes, etc., when due, will kindly communicate with Radio Station WSYB, Rutland, Vermont.

SELECTIVE SERVICE 1-B OUT

Elimination of Class 1-B, the Selective Service designation for registrants considered fit for limited military service only, beginning August 20 was announced yesterday by National Headquarters, Selective Service System. Thereafter all registrants who are not totally disqualified will be reclassified in Class 1-A and the Army will decide, after induction, on their individual assignment to full or limited military service. Registrants found to be unsuited for any military service will be placed in Class IV-F.

THE ASSOCIATION OF WOMEN DIRECTORS

One of our most distinguished members is Alma Kitchell, known in nearly every household in America. Miss Kitchell has broadcast over NBC and the Blue Network for years, through her delightful song recitals and programs directed to women listeners. Her "Brief Case" and "Streamlined Journal" have made history in this field. One of the reasons Alma has made such a success has been that besides being a broadcaster, she is a mother and home maker who practices these arts conscientiously and consistently.

Miss Kitchell has made the great sacrifice to the war effort, through the enlistment of her son last spring. She wanted to do even more and was inspired to buy a stamp every day and put it aside for that son against the day of his return. Mrs. Henry Morgenthau, Jr., heard about it—and she told her Secretary of the Treasury husband. Both of them were delighted with this splendid thought that both embodied patriotism and thrift. In consequence, on Sept. 2nd, Alma will have a new thrill, for instead of interviewing a celebrity as she often does, she will be interviewed herself by Mrs. Morgenthau. The program will inaugurate a drive to inspire all American mothers of sons in our armed forces, to follow her example and get solidly behind the slogan of this campaign—

"A stamp every day
For the son who's away."

We hope that every woman director in the country will get behind this plan because it certainly appeals to all mothers and offers an opportunity to do a job for Uncle Sam and the cause of freedom.

PER-INQUIRY REQUESTS

The William S. L. K. Laboratories, Milwaukee, Wis., is seeking P-I business for their drug products.

The J. L. Stewart advertising agency, Chicago, is trying to place P-I deals for their client, an insurance company.

Again the Mendenhall Manufacturing Company of Mendenhall, Miss., is soliciting a P-I offer, this time for perfume.

Similar attempts have been reported of the Martin J. Pollak publishing firm for their *Soldier's, Sailor's and Air Force Souvenir Handybooks,* and of the Midwest Specialty Company, Omaha, Neb., for a *Sterling Silver Victory Ring.*

Stations are asked to continue reporting to the NAB all per-inquiry and free time offers.

BMI MEMBERSHIP

District Seven (Ohio-Kentucky) leads the list in percentage of stations which are BMI member.

BMI on August 1 had 788 members, 86.6 per cent of all operating stations. District 7 has 45 of its 46 operating stations in BMI. Other district percentages:

District	*No. of Stations in BMI*	*Total Stations*	*Per Cent of Stations in BMI*
1	53	59	89.8
2	62	75	82.7
3	45	49	91.8
4	83	89	93.3
5	67	77	87.0
6	47	56	83.9
7	45	46	97.8
8	40	46	87.0
9	47	59	79.7
10	48	55	87.3
11	28	34	82.4
12	26	32	81.3
13	51	57	89.5
14	34	42	81.0
15	33	35	94.3
16	44	49	89.8
17	35	50	70.0
	788	910	86.6

Note: Count includes 28 FM and short wave stations in BMI.

Included in count of stations not in BMI are 10 which according to our best information are presently in construction permit status, but which may have gone on the air.

NEW BMI CATALOGUE

BMI announces the acquisition of the performance rights in the catalogue of France Music, making available to BMI licensees, when records are so badly needed, upwards of one hundred excellent recorded titles by such artists as Sablon and Trenet, to which will be added many records of French derivation in the future. BMI will announce this acquisition in its next bulletin.

NAB OPPOSES TAX

On Tuesday, the NAB filed with the Senate Finance Committee its reply to the appearance of John B. Haggerty advocating a special tax on radio. Haggerty had inserted in the record an exploratory staff memorandum prepared for inter-office use by the Treasury in 1941, and which had been placed at the disposal of one or two members of the House Ways and Means Committee when the 1941 Revenue Act was under consideration. That this memorandum does not reflect Treasury policy was made clear in a letter from Randolph E. Paul, General Counsel of the Treasury, entered in the record for August 13, 1942.

Also submitted for the record by Mr. Paul was a statement of the plan prepared jointly by the Treasury and the FCC, and submitted without recommendation as to its adoption. This plan was prepared pursuant to the Senate Finance Committee's request made to the Treasury in 1941 that they explore the possibilities of a tax on radio broadcasting.

The NAB's statement:

"The National Association of Broadcasters respectfully invites the attention of your Committee to the testimony and memoranda submitted to your Committee during its hearings on the Revenue Bill of 1941 (Hearings, pp. 726, 740, 741, 1476) and to the Committee on Ways and Means this year (Hearings, pp. 3298-3309), in opposition to the suggestion, which Mr. John B. Haggerty has again made, that a special tax be imposed upon the radio industry.

"The Association also desires, as a matter of record, to summarize briefly the conclusive replies to Mr. Haggerty's statements:

"(1) The Treasury has not recommended and is not recommending (jointly with the Federal Communications Commission, or otherwise) the adoption of a special tax upon the radio industry. (See letter of Randolph E. Paul, General Counsel, Treasury Department, to Honorable Walter F. George, dated August 13, 1942 —Hearings before the Committee on Finance, Part 16 (unrevised), August 13, 1942, pp. 1996-1997).

"(2) The proposed tax is not supported by labor generally. Mr. W. C. Hushing, of the legislative committee of the American Federation of Labor; Mrs. Emily Holt, of the American Federation of Radio Artists; and Mr. Lawson Wimberly, of the International Brotherhood of Electrical Workers, are among the witnesses who appeared on behalf of labor before the Senate Committee on Finance and the Committee on Ways and Means in opposition to the proposition.

"(3) The proposed tax would seriously jeopardize the extraordinary and commendable contribution to the Nation's war effort which radio is now making.

"(4) There is no justification for the imposition of a discriminatory tax of this nature upon any industry, and most certainly not an industry engaged in the dissemination of facts and information.

"We trust that your Committee will again reject any proposal to impose a special tax upon the radio industry; and we are confident that your Committee will afford the industry and others interested an adequate opportunity to be heard in the event that any plan (such as the plan prepared jointly by the Federal Communications Commission and the Treasury Department and which was submitted *without recommendation as to its adoption* in the letter from Mr. Paul, dated August 13, 1942, above referred to) is under consideration by your Committee."

The American Federation of Labor, the International Brotherhood of Electrical Workers, and Morris Lynch in behalf of Radio Station WCFL also filed statements opposing a special radio tax.

FEDERAL LEGISLATION

H. R. 7441 (Hoffman, R.-Mich.) FREEDOM OF EXPRESSION—To make it unlawful for any person, firm, corporation, association, or group to, directly or indirectly, intentionally or willfully interfere in any way with the lawful production, transmission, transportation, dissemination, or movement of any music, musical program, or radio broadcast thereof from any point within the continental United States or any of its Territories or possessions or land under its control or jurisdiction, to any point lying beyond the State or Territorial line of the State, Territory, or possession where such music or musical program, entertainment or broadcast originates, is offered for transmission, or transportation, dissemination or movement, either over the air, the land, or the sea. Referred to the Committee on the Judiciary.

ILLINOIS

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units, or radio homes, estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
County	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	18,694	85.9	16,058	11,974	90.2	10,806	2,837	79.4	2,253	3,883	77.2	2,999
Alexander	7,230	59.5	4,311	4,403	65.3	2,877	1,658	50.5	837	1,169	51.1	597
Bond	4,325	74.0	3,203	1,115	91.2	1,017	1,395	74.7	1,042	1,815	63.0	1,144
Boone	4.375	94.6	4,138	2,500	97.3	2,432	540	92.1	497	1,335	90.6	1,209
Brown	2,463	75.2	1,851	....	....	....	1,158	79.9	925	1,305	71.0	926
Bureau	10,793	92.0	9,929	3,083	93.4	2,880	4,225	90.6	3,829	3,485	92.4	3.220
Calhoun	2,152	73.3	1,578	....	....	....	752	76.9	578	1,400	71.4	1,000
Carroll	5,289	90.0	4,760	1,413	93.4	1,319	2,000	89.9	1,799	1,876	87.5	1,642
Cass	4,744	83.9	3,981	1,970	89.0	1,753	1,378	81.1	1,118	1,396	79.5	1.110
Champaign	19,443	94.0	18,271	11,355	96.1	10,913	3,953	90.6	3,583	4,135	91.3	3,775
Christian	11,060	86.9	9,607	4,261	90.5	3,857	3,680	83.1	3,060	3,119	86.2	2,690
Clark	5,553	77.5	4,304	1,668	87.3	1,457	1,231	82.3	1,013	2,654	69.1	1,834
Clay	5,421	81.2	4,400	1,606	90.3	1,450	1,447	80.9	1,171	2,368	75.1	1,779
Clinton	5,913	79.3	4,690	935	91.0	851	3,185	80.8	2,573	1,793	70.6	1,266
Coles	11,225	88.6	9,945	7,158	92.0	6,589	1,575	81.4	1,282	2,492	83.2	2,074
Cook	1,125,468	96.3	1,083,788	1,100,838	96.4	1,060,805	20,925	93.9	19,647	3,705	90.0	3,336
Crawford	6,267	79.6	4,991	1,313	93.0	1,221	2,622	80.4	2,108	2,332	71.3	1,662
Cumberland	3,291	81.9	2,696	....	....	....	1,360	81.6	1,110	1,931	82.1	1,586
DeKalb	9,871	94.8	9,358	4,935	96.4	4,755	2,261	93.4	2,112	2,675	93.1	2,491
DeWitt	5,246	88.5	4,642	1,859	91.7	1,705	1,642	86.7	1,424	1,745	86.7	1,513
Douglas	5,073	87.4	4,432	882	92.0	811	2,399	87.5	2,099	1,792	85.0	1,522
DuPage	27,538	97.1	26,745	19,852	98.5	19,554	6,070	94.2	5,720	1,616	91.0	1.471
Edgar	7,292	86.3	6,298	2,893	90.3	2,612	1,747	84.3	1,472	2,652	83.5	2,214
Edwards	2,724	76.5	2,083	....	....	....	1,562	80.7	1,261	1,162	70.8	822
Effingham	5,844	82.1	4,797	1,753	91.4	1,603	1,837	86.9	1,596	2,254	70.9	1,598
Fayette	7,811	78.2	6,103	1,599	91.4	1,462	2,604	81.7	2,129	3,608	69.6	2,512
Ford	4,380	93.2	4,081	962	96.2	925	1,733	92.7	1,607	1,685	91.9	1,549
Franklin	15,462	79.5	12,295	8,046	87.0	7,000	4,736	72.9	3,451	2,680	68.8	1,844
Fulton	13,248	86.6	11,475	3,531	93.5	3,302	5,702	85.2	4,856	4,015	82.6	3,317
Gallatin	3,123	70.9	2,213	....	....	....	1,683	71.9	1,210	1,440	69.6	1,003
Greene	5,763	77.8	4,484	1,694	85.0	1,441	1,836	78.0	1,432	2,233	72.2	1,611
Grundy	5,115	93.1	4,760	1,758	95.9	1,687	1,895	91.4	1,733	1,462	91.6	1,340
Hamilton	3,782	69.7	2,635	800	90.6	725	555	64.0	355	2,427	64.1	1,555
Hancock	8,090	82.2	6,652	852	89.4	762	3,803	81.1	3,085	3,435	81.7	2.805
Hardin	2,024	67.4	1,364	....	....	....	978	76.9	752	1,046	58.5	612
Henderson	2,595	81.4	2,111	....	....	....	1,292	78.7	1,016	1,303	84.0	1,095
Henry	12,733	92.2	11,739	7,014	93.6	6,567	2,388	91.1	2,176	3,331	89.9	2,996
Iroquois	9,182	90.5	8,311	1,153	93.5	1,078	3,865	90.4	3,496	4,164	89.8	3,737
Jackson	10,543	78.3	8,261	5,194	84.2	4,375	2,653	77.1	2,046	2,696	68.3	1,840
Jasper	3,812	77.1	2,938	....	....	....	1,376	82.7	1,138	2,436	73.9	1,800
Jefferson	9,857	80.1	7,899	4,445	87.7	3,896	1,889	78.9	1,491	3.523	71.3	2,512
Jersey	3,802	73.3	2,782	1,470	85.7	1,259	831	67.7	562	1,501	64.0	961
Jo Daviess	5,760	86.0	4,952	1,332	84.5	1,126	2,297	87.7	2,015	2,131	85.0	1,811
Johnson	2,930	66.4	1,947	....	....	....	1,113	70.4	783	1,817	64.0	1,164
Kane	34,617	96.2	33,289	27,145	96.9	26,303	5,094	94.0	4,787	2,378	92.5	2,199
Kankakee	13,899	93.8	13,045	7.247	95.9	6,948	3,816	93.8	3,581	2.836	88.7	2,516
Kendall	3,053	92.9	2,837	....	....	....	1,670	92.7	1,548	1,383	93.2	1,289
Knox	15,495	90.5	14,026	9,734	94.2	9.170	2.702	85.2	2,301	3,059	83.5	2,555
Lake	30,214	95.9	28,987	21,162	96.8	20,486	7.030	94.5	6,645	2,022	91.8	1,856
LaSalle	26,389	93.5	24,673	17,704	95.1	16,830	3,992	89.9	3,590	4,693	90.6	4,253
Lawrence	5,781	78.4	4,534	1,669	89.8	1.499	1,902	78.6	1,496	2,210	69.6	1,539
Lee	8.517	94.4	8,036	3,172	95.5	3,028	2,560	94.2	2,411	2,785	93.2	2,597
Livingston	10,004	92.1	9,217	2,098	93.8	1,969	4,010	91.3	3,663	3,896	92.0	3,585
Logan	7,144	90.4	6,457	2,818	92.1	2,596	2,011	87.9	1,768	2,315	90.4	2,093
McDonough	8,172	88.3	7,207	3,678	91.4	3,363	1,754	80.8	1,417	2,740	88.6	2,427
McHenry	10,330	94.9	9,806	3,812	97.6	3,719	3,632	94.6	3,436	2,886	91.9	2,651
McLean	20,967	92.9	19,482	11,549	94.8	10,944	4,596	90.1	4,140	4,822	91.2	4,398
Macon	24,349	92.9	22,627	17,298	94.5	16,352	4,166	90.5	3,771	2,885	86.8	2,504
Macoupin	13,896	83.1	11,554	6,004	89.9	5,400	4,450	82.4	3,665	3,442	72.3	2,489
Madison	40,882	88.9	36,340	29,269	91.0	26,630	8,015	88.0	7,050	3,598	73.9	2,660

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
County	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Marion	13,808	80.7	11,147	6,698	85.9	5,757	3,588	80.0	2,870	3,522	71.5	2,520
Marshall	3,794	88.8	3,370	....	....	....	2,408	88.0	2,118	1,386	90.3	1,252
Mason	4,603	83.4	3,839	1,251	86.1	1,077	1,769	82.9	1,466	1,583	81.9	1,296
Massac	4,246	70.3	2,985	1,867	79.7	1,488	933	64.7	604	1,446	61.8	893
Menard	3,085	83.7	2,582	784	85.7	672	1,017	83.9	853	1,284	82.3	1,057
Mercer	5,156	88.0	4,540	825	91.1	752	2,003	86.3	1,729	2,328	88.5	2,059
Monroe	3,489	74.2	2,588	....	....	....	1,954	81.3	1,588	1,535	65.2	1,000
Montgomery	10,155	83.1	8,438	4,274	91.1	3,892	2,768	81.3	2,251	3,113	73.7	2,295
Morgan	9,251	85.7	7,932	4,646	91.0	4,227	2,097	83.2	1,744	2,508	78.2	1,961
Moultrie	3,827	83.0	3,177	1,000	89.0	890	1,214	84.2	1,022	1,613	78.4	1,265
Ogle	8,722	91.8	8,010	2,118	95.1	2,015	3,399	91.2	3,100	3,205	90.3	2,895
Peoria	43,105	93.2	40,198	31,735	94.1	29,853	8,427	92.5	7,792	2,943	86.8	2,553
Perry	6,536	77.7	5,075	3,209	86.8	2,785	1,562	77.2	1,206	1,765	61.4	1,084
Piatt	4,147	89.6	3,717	780	95.6	746	1,735	87.1	1,512	1,632	89.4	1,459
Pike	7,424	77.0	5,720	891	91.1	811	3,122	75.7	2,365	3,411	74.6	2,544
Pope	2,229	65.6	1,466	....	....	....	756	73.9	559	1,473	61.6	907
Pulaski	4,273	60.0	2,563	....	....	....	2,758	63.7	1,758	1,515	53.1	805
Putnam	1,518	84.2	1,278	....	....	....	938	81.9	768	580	87.9	510
Randolph	8,260	78.9	6,528	2,510	91.3	2,293	3,305	79.4	2,625	2,445	65.8	1,610
Richland	4,971	81.1	4,034	2,360	91.4	2,158	680	76.3	519	1,931	70.3	1,357
Rock Island	31,725	94.8	30,074	26,055	95.9	24,976	3,507	91.9	3,225	2,163	86.6	1,873
St. Clair	46,985	88.0	41,356	30,936	90.5	28,012	13,013	86.1	11,202	3,036	70.6	2,142
Saline	10,850	80.0	8,682	4,937	86.2	4,255	3,398	78.1	2,653	2,515	70.5	1,774
Sangamon	33,207	91.5	30,404	21,585	94.0	20,289	7,394	87.3	6,455	4,228	86.6	3,660
Schuyler	3,275	80.3	2,629	....	....	....	1,537	81.4	1,252	1,738	79.2	1,377
Scott	2,390	77.3	1,847	....	....	....	1,325	78.0	1,033	1,065	76.4	814
Shelby	7,737	83.3	6,446	1,296	90.4	1,172	2,612	81.6	2,131	3,829	82.1	3,143
Stark	2,563	87.7	2.248	....	....	....	1,368	89.1	1,219	1,195	86.1	1,029
Stephenson	11,669	92.8	10,823	6,422	95.4	6,128	2,416	88.4	2,137	2,831	90.4	2,558
Tazewell	16,260	92.4	15,026	8,530	94.8	8,086	5,174	90.5	4,681	2,556	88.4	2,259
Union	5,105	73.7	3,750	1,156	92.0	1,064	1,448	73.0	1,057	2,501	65.1	1,629
Vermilion	24,576	88.8	21,819	14,732	91.1	13,425	5,921	85.0	5,031	3,923	85.7	3,363
Wabash	3,936	83.9	3.305	2,098	89.0	1,868	666	77.6	517	1,172	78.5	920
Warren	6,252	89.7	5,609	2,747	91.7	2,519	1,263	87.2	1,102	2,242	88.7	1,988
Washington	4,491	71.7	3,225	....	....	....	2,351	79.6	1,871	2,140	63.3	1,354
Wayne	6,107	73.9	4,512	1,163	89.3	1,039	1.203	72.4	871	3,741	69.6	2,602
White	5,691	77.7	4,423	1,306	86.2	1,126	2,001	75.3	1,506	2,384	75.1	1,791
Whiteside	12,314	92.3	11,363	6,477	95.4	6,177	2,807	88.8	2,491	3,030	89.0	2,695
Will	29,045	93.9	27,285	12,996	94.8	12.316	12,611	94.4	11,909	3,438	89.0	3.060
Williamson	14,858	81.1	12,063	8,088	87.6	7,083	3,942	77.3	3,046	2,828	68.4	1,934
Winnebago	34,818	95.3	33,194	25,570	96.1	24,577	6,895	94.1	6,485	2,353	90.6	2,132
Woodford	5,256	89.9	4,724	....	....	....	3,093	90.7	2,805	2,163	88.7	1,919
State Total	2,192,724	92.3	2,023,969	1,633,017	95.3	1,555,637	310,446	86.3	267,839	249,261	80.4	200,493

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Alton	Madison	8,663	92.3	7,992
Aurora	Kane	13,155	97.0	12,760
Belleville	St. Clair	8,563	93.5	8,006
Berwyn	Cook	13,901	99.1	13,774
Bloomington	McLean	9,678	94.5	9,143
Chicago	Cook	949,744	96.1	912,473
Cicero	Cook	17,918	97.9	17,547
Danville	Vermilion	11,248	91.4	10,284
Decatur	Macon	17,298	94.5	16,352
East St. Louis	St. Clair	21,148	89.1	18,847
Elgin	Kane Cook	9,972	96.8	9,651
Evanston	Cook	18,150	98.1	17,805
Galesburg	Knox	8,784	94.2	8,273
Joliet	Will	11,538	94.8	10,934
Maywood	Cook	7,207	98.3	7,083

ILLINOIS—*Continued*

City	County	Units	% Radio	Radio Units
Moline	Rock Island	10,246	96.2	9,859
Oak Park	Cook	19,104	99.2	18,960
Peoria	Peoria	30,459	93.9	28,599
Quincy	Adams	11,974	90.2	10,806
Rockford	Winnebago	24,822	96.2	23,883
Rock Island	Rock Island	12,357	95.8	11,835
Springfield	Sangamon	21,585	94.0	20,289
Waukegan	Lake	9,501	96.7	9,184

PENNSYLVANIA

Estimated Radio Homes, 1940

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Adams	10,194	84.0	8,561	1,656	94.8	1,570	5,116	86.0	4,399	3,422	75.7	2,592
Allegheny	360,094	95.2	342,860	307,009	95.6	293,400	48,481	93.7	45,435	4,604	87.4	4,025
Armstrong	20,098	86.8	17,447	6,249	95.2	5,951	9,938	86.2	8,571	3,911	74.8	2,925
Beaver	38,832	91.9	35,681	25,915	93.2	24,154	10,049	91.5	9,198	2,868	81.2	2,329
Bedford	10,188	75.9	7,738	920	94.6	870	5,814	76.2	4,433	3,454	70.5	2,435
Berks	63,692	93.5	59,579	39,365	96.2	37,882	17,752	92.3	16,381	6,575	80.9	5,316
Blair	36,284	92.7	33,624	26,707	95.3	25,456	7,352	87.2	6,414	2,225	78.8	1,754
Bradford	13,936	84.3	11,741	4,441	93.5	4,152	4,324	82.8	3,580	5,171	77.5	4,009
Bucks	28,112	94.1	26,447	8,241	96.9	7,984	13,805	94.8	13,088	6,066	88.6	5,375
Butler	22,225	88.6	19,696	6,464	96.3	6,222	10,117	88.4	8,946	5,644	80.2	4,528
Cambria	48,512	89.5	43,438	27,538	92.9	25,589	17,829	87.2	15,554	3,145	73.0	2,295
Cameron	1,872	89.5	1,676	1,116	91.3	1,019	608	87.6	533	148	83.8	124
Carbon	14,780	94.1	13,903	9,246	96.8	8,955	4,781	91.1	4,356	753	78.7	592
Centre	13,271	87.1	11,564	4,386	96.5	4,232	6,516	83.8	5,463	2,369	78.9	1,869
Chester	33,046	90.4	29,885	13,797	94.1	12,989	12,099	89.9	10,874	7,150	84.2	6,022
Clarion	9,730	81.3	7,906	1,023	96.1	983	5,742	83.6	4,802	2,965	71.5	2,121
Clearfield	22,657	85.2	19,299	6,548	94.0	6,155	11,881	83.5	9,918	4,228	76.3	3,226
Clinton	8,904	88.0	7,835	3,890	93.7	3,643	4,074	85.7	3,492	940	74.5	700
Columbia	13,565	88.1	11,944	6,349	93.8	5,954	4,702	86.9	4,087	2,514	75.7	1,903
Crawford	19,966	87.8	17,530	7,912	94.1	7,443	5,786	90.5	5,238	6,268	77.4	4,849
Cumberland	20,419	90.4	18,439	10,820	94.4	10,211	6,499	89.1	5,790	3,100	78.6	2,438
Dauphin	46,572	94.4	43,978	32,959	96.3	31,739	11,100	92.6	10,275	2,513	78.2	1,964
Delaware	80,057	97.2	77,840	60,505	97.6	59,047	18,125	96.3	17,456	1,427	93.7	1,337
Elk	8,066	90.5	7,302	4,534	96.0	4,354	2,702	86.1	2,326	830	75.0	622
Erie	48,010	93.4	44,849	35,721	95.4	34,064	7,251	93.1	6,753	5,038	80.0	4,032
Fayette	47,902	86.4	41,407	12,957	92.4	11,976	30,910	85.3	26,378	4,035	75.7	3,053
Forest	1,558	79.2	1,234	....	....	......	1,151	83.6	962	407	66.9	272
Franklin	17,766	84.2	14,972	8,029	94.1	7,554	5,392	79.8	4,303	4,345	71.7	3,115
Fulton	2,614	77.0	2,013	....	....	......	942	82.0	773	1,672	74.1	1,240
Greene	10,944	80.8	8,846	1,447	94.3	1,364	6,174	83.2	5,136	3,323	70.6	2,346
Huntingdon	10,405	81.3	8,460	3,303	92.4	3,051	5,106	78.7	4,016	1,996	69.8	1,393
Indiana	19,221	84.8	16,298	4,853	95.6	4,641	9,923	84.3	8,369	4,445	74.0	3,288
Jefferson	13,571	85.5	11,603	5,399	92.8	5,008	5,141	83.0	4,267	3,031	76.8	2,328
Juniata	3,979	75.8	3,016	....	....	......	2,357	80.0	1,885	1,622	69.8	1,131
Lackawanna	72,374	93.5	67,682	65,437	94.0	61,512	5,049	90.6	4,575	1,888	84.5	1,595
Lancaster	55,376	86.7	48,007	26,250	94.3	24,745	19,200	86.9	16,692	9,926	66.2	6,570
Lawrence	24,797	92.1	22,847	15,488	94.2	14,588	6,573	91.4	6,008	2,736	82.3	2,251
Lebanon	19,028	91.2	17,350	9,664	95.0	9,178	6,795	90.3	6,135	2,569	79.3	2,037
Lehigh	45,563	95.1	43,317	34,495	97.1	33,493	8,439	91.4	7,711	2,629	80.4	2,113
Luzerne	102,117	93.6	95,546	78,208	94.9	74,235	20,918	90.9	19,017	2,991	76.7	2,294
Lycoming	25,704	90.2	23,181	17,344	94.2	16,341	5,292	85.4	4,520	3,068	75.6	2,320
McKean	15,212	91.4	13,914	6,671	94.8	6,326	6,910	90.8	6,275	1,631	80.5	1,313
Mercer	25,771	91.6	23,612	15,229	95.7	14,568	5,875	90.3	5,306	4,667	80.1	3,738
Mifflin	10,908	84.6	9,234	4,457	93.3	4,159	5,135	83.5	4,289	1,316	59.7	786
Monroe	8,079	89.1	7,194	3,562	95.3	3,396	2,911	86.7	2,524	1,606	79.3	1,274
Montgomery	71,142	96.4	68,553	46,610	97.4	45,416	20,335	95.5	19,416	4,197	88.7	3,721
Montour	3,468	84.9	2,950	2,018	92.3	1,863	667	79.4	530	783	71.1	557
Northampton	43,312	94.8	41,060	31,382	96.3	30,219	8,709	92.7	8,071	3,221	86.0	2,770
Northumberland	31,632	90.8	28,732	18,325	94.4	17,292	11,074	88.2	9,772	2,233	74.7	1,668
Perry	6,208	82.0	5,093	....	....	......	3,999	86.8	3,470	2,209	73.5	1,623

PENNSYLVANIA—Continued

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Philadelphia	506,980	96.2	487,635	506,980	96.2	487,635	......	....	......	......	....	......
Pike	2,314	84.5	1,955	....	....	......	1,732	87.3	1,511	582	76.2	444
Potter	5,068	79.7	4,038	895	92.6	828	2,438	79.9	1,947	1,735	72.8	1,263
Schuylkill	53,621	90.6	48,604	31,304	93.7	29,332	19,625	88.4	17,348	2,692	71.5	1,924
Snyder	5,348	79.8	4,269	865	95.0	821	2,593	82.6	2,143	1,890	69.1	1,305
Somerset	20,423	82.1	16,761	4,429	93.4	4,136	11,648	81.2	9,462	4,346	72.8	3,163
Sullivan	1,927	76.1	1,467	....	....	......	1,168	77.5	906	759	73.9	561
Susquehanna	9,025	82.9	7,480	1,828	93.3	1,705	3,574	86.0	3,072	3,623	74.6	2,703
Tioga	9,671	83.5	8,072	1,124	94.8	1,066	5,103	83.7	4,271	3,444	79.4	2,735
Union	4,909	87.4	4,292	1,129	94.8	1,071	2,631	87.2	2,294	1,149	80.7	927
Venango	16,277	88.0	14,335	8,456	93.8	7,935	5,087	86.9	4,420	2,734	72.4	1,980
Warren	11,105	86.6	9,628	4,295	95.6	4,105	4,556	86.4	3,937	2,254	70.4	1,586
Washington	52,333	89.7	46,949	22,756	94.2	21,436	24,662	88.1	21,737	4,915	76.8	3,776
Wayne	7,785	85.3	6,642	1,720	95.1	1,635	2,895	87.0	2,517	3,170	78.6	2,490
Westmoreland	74,215	90.0	67,467	37,581	94.6	35,566	30,984	88.4	27,379	5,650	80.0	4,522
Wyoming	4,538	81.9	3,714	....	....	......	2,710	84.8	2,299	1,828	77.4	1,415
York	48,252	90.8	43,789	23,332	95.3	22,240	16,515	90.5	14,948	8,405	78.5	6,601
State Total	2,515,524	92.4	2,323,980	1,711,133	95.5	1,634,454	595,341	88.7	527,953	209,050	77.3	161,573

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Aliquippa	Beaver	6,195	89.5	5,543
Allentown	Lehigh	25,320	97.0	24,560
Altoona	Blair	21,361	95.4	20,380
Bethlehem	Lehigh Northampton	14,898	96.5	14,377
Chester	Delaware	14,834	94.1	13,956
Easton	Northampton	9,383	95.9	8,999
Erie	Erie	30,721	95.9	29,460
Harrisburg	Dauphin	23,764	96.9	23,030
Haverford township[1]	....	7,405	99.0	7,331
Hazleton	Luzerne	8,879	95.7	8,495
Johnstown	Cambria	16,305	93.0	15,170
Lancaster	Lancaster	16,955	94.3	15,984
Lebanon	Lebanon	7,384	94.7	6,993
Lower Marion township[1]	....	9,714	98.6	9,580
McKeesport	Allegheny	14,271	94.8	13,530
New Castle	Lawrence	12,722	93.6	11,912
Norristown	Montgomery	8,421	96.8	8,148
Philadelphia	Philadelphia	506,980	96.2	487,635
Pittsburgh	Allegheny	175,163	95.2	166,761
Reading	Berks	29,798	95.8	28,534
Scranton	Lackawanna	35,631	95.1	33,895
Sharon	Mercer	6,561	97.4	6,389
Upper Darby township[1]	....	16,093	99.0	15,930
Washington	Washington	6,993	94.3	6,593
Wilkes-Barre	Luzerne	20,361	94.9	19,330
Wilkinsburg	Allegheny	8,705	98.6	8,580
Williamsport	Lycoming	12,434	93.8	11,668
York	York	15,833	95.2	15,070

[1] Urban by special rule.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 24. They are subject to change.

Monday, August 24

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.**, 250 watts, unlimited.

Tuesday, August 25

Further Hearing

NEW—Air-Waves, Inc., Baton Rouge, La.—C. P., **1400 kc.**, 250 watts, unlimited.

Thursday, August 27

Further Hearing

NEW—Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—C. P., **1340 kc.,** 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

Edwin A. Kraft—Granted application for license (B-L-1691) to operate a radio station at Ketchikan at the location of former Station KGBU (which license expired without renewal), on **930 kc.,** 1 KW power, unlimited time; subject to conditions.

National Broadcasting Co., Inc., New York City, N. Y.—Granted extension of authority (B1-FP-103) to transmit programs to Station CMX, Havana, Cuba, through the facilities of RCA Communications, Inc.

WESX—North Shore Broadcasting Co., Salem, Mass.—Granted modification of license (B1-ML-1135) to move main studio from Salem to Marblehead, Mass., and granted petition for waiver of Rule 3.30 so as to permit announcement of station location as Salem.

W39NY—City of New York Municipal Broadcasting System.—Granted request for extension of time to November 14, 1942, for completion of construction of FM station (B1-MPH-96).

DESIGNATED FOR HEARING

National Broadcasting Co., Inc., area of Chicago, Ill.—Designated for hearing application for construction permit (B4-PRY-285) for new relay broadcast station.

National Broadcasting Co., Inc., near Addison, Ill.—Designated for hearing application for construction permit (B4-PRY-282) for new relay broadcast station.

Frontier Broadcasting Co., Cheyenne, Wyo.—Designated for hearing application for construction permit (B5-PRY-283) for new relay broadcast station.

Frontier Broadcasting Co., Cheyenne, Wyo.—Designated for hearing application for construction permit (B5-PRE-430) for new relay broadcast station.

WQAM—Miami Broadcasting Co., Miami, Fla.—Designated for hearing application for modification of construction permit (B3-MP-1543) for change in type of transmitter, approval of present antenna, and approval of present transmitter site.

WHCU—Cornell University, Ithaca, N. Y.—Designated for hearing applications for construction permits (B1-P-3086 and B1-P-3318) to change facilities.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Designated for hearing application for modification of construction permit (B5-MP-1617) for indefinite extension of completion date.

LICENSE RENEWALS

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Granted renewal of license for the period ending not later than August 1, 1944 (B5-R-1027).

WTAQ—WHBY, Inc., Green Bay, Wisc.—Granted renewal of license for the period ending not later than October 1, 1944 (B4-R-607).

Granted further extension of following licenses upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than October 1, 1942:

KABR, Aberdeen, S. D.; KBST, Big Springs, Tex.; KBWD, Brownwood, Tex.; KCMC, Texarkana, Tex.; KFEL, Denver, Colo.; KFJB, Marshalltown, Iowa; KFKA, Greeley, Colo.; KFPY, Spokane, Wash.; KFRO, Longview, Tex.; KGGF, Coffeyville, Kans.; KGIW, Alamosa, Colo.; KGKL, San Angelo, Tex.; KID, Idaho Falls, Idaho; KIEM, Eureka, Calif.; KMTR, Los Angeles, Calif.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KSEI, Pocatello, Idaho; KSWO, Lawton, Okla.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KVAK, Atchison, Kans.; KVGB, Great Bend, Kans.; KWKH, Shreveport, La.; KXL, Portland, Ore.; WADC, Tallmadge, Ohio; WBNX, New York, N. Y.; WBRB, Red Bank, N. J.; WCAX, Burlington, Vt.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WCOC, Meridian, Miss.; WCOP, Boston, Mass.; WFCI, Pawtucket, R. I.; WFPG, Atlantic City, N. J.; WGES, Chicago, Ill.; WSAR, Fall River, Mass.; WING, Dayton, Ohio; WMRO, Aurora, Ill.; WMUR, Manchester, N. H.; WNBZ, Saranac Lake, N. Y.; WOV and auxiliary, New York, N. Y.; WQBC, Vicksburg, Miss.; WSPB, Sarasota, Fla.; WSPD, Toledo, Ohio; WTJS, Jackson, Tenn.; WTSP, St. Petersburg, Fla.

MISCELLANEOUS

WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Granted modification of construction permit as modified, for change in type of transmitter, change of frequency (B3-MP-1622).

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification of constuction permit as modified, which authorized installation of directional antenna for night use, increase in night power, for extension of completion date from August 15 to October 15, 1942 (B3-MP-1613).

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit as modified, which authorized installation of directional antenna for day and night and increase in night power, for extension of completion date from August 16 to September 16, 1942 (B5-MP-1612).

KGIW—E. L. Allen, East of Alamosa, Colo.—Granted license to cover construction permit for increase in power and installation of new transmitter (B5-L-1692).

WSGN—The Birmingham News Co., Birmingham, Ala.—Granted license to cover construction permit for increase in power and changes in equipment (B3-L-1693).

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted license to cover construction permit for installation of new transmitter (B4-L-1686).

WSNY—Western Gateway Broadcasting Corp., Schenectady, N. Y.—Granted license to cover construction permit as modified, which authorized construction of new broadcast station (B1-L-1690); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1423).

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted license to use old main transmitter as auxiliary transmitter for emergency use only (B4-L-1639).

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted license to use formerly licensed composite 250 watt transmitter as an auxiliary transmitter on **1190 kc.,** 250 watts, for auxiliary purposes only (B1-L-1684).

WKBH—WKBH, Inc., La Crosse, Wis.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1424).

WLAB—Larus and Brother Co., Inc., Richmond, Va.—Granted modification of construction permit which authorized construction of a new relay broadcast station, for changes in transmitting equipment and decrease in operating power from 100 watts to 31.4 watts (B2-MPRE-55).

WGHB—The Tribune Company, Area of Tampa, Fla.—Upon request cancelled license for relay broadcast station (B3-LRY-229).

Tidewater Broadcasting Corp., Norfolk, Va.—Adopted order dismissing without prejudice application for construction permit for new broadcast station (Docket No. 6162).

Camden Radio, Inc., Camden, Ark.—Dismissed without prejudice application for construction permit for new broadcast station (B3-P-3494).

WHKC-WCLE—United Broadcasting Co., Columbus, Ohio; Cleveland, Ohio.—Denied petitions filed pursuant to the provisions of the Memorandum Opinion of April 27, 1942, in re applications for construction permits (B2-P-2533 and B2-P-2834) to change facilities, and designated said applications for hearing.

WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C.—Denied petition for partial grant of application to authorize only change in frequency at this time, and designated for hearing said application to change frequency from **1470** to **640 kc.,** increase power from 5 KW to 50 KW unlimited time with directional antenna (B3-P-3391).

WOKO—WOKO, Inc., Albany, N. Y.—Denied petition requesting that application be retained in the pending files; and designated for hearing said application to change facilities (B1-P-3238).

WCKY—L. B. Wilson, Inc., Cincinnati, Ohio.—Dismissed without prejudice application for construction permit (B2-P-3227) to change frequency from **1530 kc.**, 50 KW, unlimited time, to **640 kc.**, unlimited time, with modifications in its directional antenna system.

WKRC—Cincinnati Times-Star Co., Cincinnati, Ohio.—Dismissed without prejudice application for construction permit (B2-P-3390) to change facilities from **550 kc.**, 1 KW night, 5 KW day, unlimited time, to **640 kc.** with power of 50 KW, unlimited time, with new directional antenna system.

Granite District Radio Broadcasting Co., Murray, Utah.—Dismissed without prejudice application for construction permit for new standard broadcast station (Docket No. 6003).

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Denied (1) petition to reconsider and grant without hearing application for modification of construction permit (Docket 6245), and (2) the petition filed pursuant to the Memorandum Opinion of April 27, 1942; and amended the issues upon which the application will be heard.

WSAV—WSAV, Inc., Savannah, Ga.—Denied petition for grant of application for construction permit to change frequencies from **1340** to **1370 kc.**, increase power from 250 watts unlimited time to 1 KW unlimited time with directional antenna at night; and designated said application for hearing (B3-P-3453).

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Denied petition requesting authority to construct an antenna at a new site as proposed in applications for construction permit and modification of construction permit (Docket Nos. 5678 and 6107).

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Granted motion to dismiss without prejudice application for construction permit to operate on **1260 kc.**, 1 KW night, 5 KW day, directional antenna night, unlimited time (Docket 6303).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing from August 24 to September 24, 1942, in re application for modification of license (Docket 6216).

Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—Granted motion for continuance of hearing from August 27 to October 30, 1942, in re application for new station (Docket 6097).

WKBW-WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted motion to postpone hearing from September 10 to October 20, 1942, in re applications for renewal of licenses of WKBW and WGR (main and auxiliary) stations (Dockets Nos. 6324 and 6325).

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion for order to take depositions in re application for construction permit (Docket 6351).

KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted petition to dismiss without prejudice application for modification of construction permit (Docket 6376).

WOV—Wodaam Corp., New York, N. Y.—Granted motion to dismiss without prejudice application for transfer of control from Arde Bulova and Harry D. Henshel (transferor) to Murray Mester and Meyer Mester (transferee) (Docket 6378).

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Granted motion to dismiss without prejudice application for modification of construction permit as modified (Docket 6380).

Air Waves, Inc., Baton Rouge, La.—Granted motion to withdraw without prejudice application for construction permit for new station (Docket 6155).

APPLICATIONS FILED AT FCC

590 Kilocycles

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Modification of construction permit (B3-P-2938 as modified) which authorized change in frequency, increase in power, move of transmitter, installation of directional antenna for night use and new transmitter, requesting extension of commencement and completion dates.

620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Involuntary transfer of control of licensee corporation from Thompson L. Guernsey to Eastland Broadcasting Co.

770 Kilocycles

KXA—American Radio Telephone Co., Seattle, Wash.—License to cover construction permit (B5-P-3272) for move of transmitter and installation of new antenna.

1300 Kilocycles

KOL—Seattle Broadcasting Co., Seattle, Wash.—License to cover construction permit (B5-P-3030 as modified) which authorized increase in power and installation of directional antenna.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Authority to determine operating power by direct method.

1320 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—License to cover construction permit (B3-P-2788 as modified) which authorized installation of directional antenna for night use and increase in night power to 5 KW.

KTRH—KTRH Broadcasting Co., Houston, Texas.—Authority to determine operating power by direct method.

1450 Kilocycles

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—License to cover construction permit (B5-P-3472) for move of transmitter and studio.

MISCELLANEOUS APPLICATIONS

KAOY—Don Lee Broadcasting System, Portable-Mobile, Area of Los Angeles, Calif.—Modification of construction permit (B5-PRE-297 as modified) which authorized construction of new relay broadcast station for extension of commencement date from 2-28-42 to 8-27-42 and completion date from 8-27-42 to 1-23-43.

NEW—General Electric Co., San Francisco, Calif.—Construction permit for special relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.**, 75 watts and A3 Emission.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Bee-Dew Cosmetic Co., 703 East Forest Ave., Detroit, is charged in a complaint with misrepresentation. (4811)

L. L. Edwards, Shelbyville, Tenn., engaged in the sale and distribution of nut products and candy to jobbers and retail dealers, is charged in a complaint with the use of lottery methods in the sale of his products. (4797)

Fox Studios, formerly United Studios, and Saul C. Fineman, Isla Fineman Lucas, Harry Becko, Howard Sheld, Harvey Grastey, Dick Sperling, and Nicholas Mock, all of Boise, Idaho, are charged in a complaint issued with misrepresentation in the sale and distribution of tinted or colored enlargements and miniatures of photographs. (4807)

Globe Cardboard Novelty Co., Inc., 515 Greenwich St., New York; Globe Printing Co., 1023 Race St., Philadelphia, and Morris Aaron and Louis Broudo, as co-partners and officials of both companies, are charged in a complaint with manufacturing lottery devices which they sell and distribute to manufacturers of and dealers in various lines of merchandise. (4808)

Kaiden-Kazanjian Studios, Inc., Frances Kaiden and Aram Kazanjian, officials of the corporation and also trading individually as Keystone News & Photo Service, 21 West 46th St., New York, are charged in a complaint with misrepresentation. The complaint charges that to obtain negatives from which they produce and sell photographs and miniatures, the individual respondents have falsely represented that they conduct a news and photo service under the name of Keystone News & Photo Service and are in touch with and assist in handling various publicity features for the press. (4812)

M. J. Kellner Brokerage Company, Illinois Brokerage Company, and O-K Sales Company, Springfield, Ill., is charged in a complaint with violation of Section 2(c) of the Clayton Act, as amended by the Robinson-Patman Act. (4796)

J. Silverman & Associates, et al.—Questionnaires, falsely indicating that they are issued by branches of the United States Government and which are used by collection agencies to procure information of the whereabouts and employment of debtors, are the basis of two complaints. The requests for information bear a Washington, D. C., postmark, and replies, received in Washington, then are remailed to collection agencies in various cities. Communications and replies, resulting from the questionnaires, have been received by the Selective Service System of the United States and other Government divisions from persons who believed the queries were issued by these agencies.

Respondents named in the complaints are Michel Lipman and Jack Silverman, trading as Chief Statistician and as J. Silverman & Associates, 821 Market St., San Francisco, and Leo Greenberg, trading as Bureau of Research, Reclassification Department, 215 West Fifth Street, Los Angeles. William Edgar Spicer, whose office and place of business is at 302 Bond Building, Washington, D. C., is named as respondent in each complaint.

Michel Lipman, Jack Silverman and Leo Greenberg are all engaged in the business of selling printed mailing cards designed and intended to be used by collection agencies, merchants and others, to whom they are sold, in obtaining information concerning the purchasers' debtors.

The products of the San Francisco respondents are made up of units comprising two cards separated by a perforated line designed to enable the addressee of the cards to detach the "information" card, which is self-addressed to "Chief Statistician, Bond Building, Washington, D. C." The complete cards are addressed to the debtor at his last known address or to anyone thought to have information concerning him, by purchasers of the cards. The returned "information" cards then are relayed by the respondent Spicer, the complaints charge, to the respondents Lipman and Silverman in San Francisco or Greenberg in Los Angeles, who forward them to the original purchasers. (4809-4810)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

Louis A. Walton Co., 407 South Market St., Chicago, Kling Bros. & Co., Inc., 333 West Van Buren St., Chicago, and Leopold Kling and Samuel Kling, individually and as officers of both corporations, have been ordered to cease and desist from misrepresentation in the sale of men's clothing. (4528)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Cardinal Paint Corp., 4610 Geraldine Ave., St. Louis, Mo., engaged in the sale and distribution of paints, varnishes, enamels and stains, has stipulated to discontinue representing by the use of statements or labels on containers or in any other manner that its paint products contain lead or other ingredient in stated percentages or proportions unless the products do in fact contain such ingredients in the percentages or proportions represented; using any quantitative analysis on labels or other advertisements which does not truthfully and unambiguously designate all ingredients of every kind contained therein, together with the correct percentage or proportion of each such ingredients; and using labels bearing the statement "Net contents one gallon U. S. standard measure" on containers the actual net content of which is less than one gallon, or otherwise representing that the quantity of paint or other substance in any container is in excess of the true content. (3517)

Chamberlain Sales Corp., and L. H. Chamberlain, its president, Des Moines, Iowa, engaged in selling a hand lotion designated "Chamberlain's Lotion" has stipulated that it will cease representing that any test made to show that Chamberlain's Lotion flows more readily than other lotions indicates that it is superior to other lotions, or that other lotions containing tragacanth gum or other filler are sticky. (03035)

Fuller Blade Co., Inc., 294 Badger Ave., Newark, N. J., engaged under the trade name "Wonder Blade Co." in the wholesale distribution of razor blades, has stipulated to desist from use on containers or in printed or advertising matter, or in any other way, of any price marking or other means of purportedly representing the retail selling price of the products, when such price marking or purported selling price is fictitious, exaggerated, or in excess of the price for which the products are customarily sold in the usual course of retail trade. (3518)

Kennedy Car Liner & Bag Co., Shelbyville, Ind., engaged in the manufacture of food bags, bowl covers and similar items under the trade designation "Keko," has stipulated to desist from use of the word "odorless" or any other explicit or categorical term of similar implication as descriptive of food bags, bowl covers, or other articles of merchandise which are not in fact devoid of scent or odor. (3515)

Makasar Beauty Products Co., and as Mme. Gensie Jenious & Co., 178 Bloomfield Ave., Montclair, N. J., engaged in selling hair preparations designated "Makasar Wonderful Pomade" and "Makasar Wonderful Pomade Double Strength," have stipulated to discontinue representing that either of the preparations has any therapeutic value in the treatment of conditions which cause falling hair. (03036)

PDQ Camera Co., 109 East 35th St., Chicago, engaged in selling a camera designated "PDQ Camera," has entered into a stipulation in which it agrees to discontinue representing that the camera is automatic; that gold-tone sepia photos can be made with it, or that the camera can be successfully used in photographing drivers or chauffeurs for procuring licenses. (03037)

Tex-O-Kan Flour Mills, doing business under the trade name of Burrus Feed Mills, Dallas, Tex., engaged in selling livestock and poultry feeds designated "Texo Poultry Fatner," "Texo Laying Mash," "Texo Calf Meal," "Texo Horse and Mule Feed," "Texo

Protein Supplement," "Texo 24% Protein Dairy Feed," "Texo All Mash Chick Starter," and "Texo Broiler Mash"; and Rowland Broiles, trading as Rowland Broiles Co., Fort Worth, Tex., engaged in conducting an advertising agency which disseminated advertisements for the above named products on behalf of Burrus Feed Mills, have stipulated to cease and desist from representing that the Texo Feeds bring greater profits at lower feeding costs; that the "Fatner" produces the most pounds at lowest costs; that the "Laying Mash" gives assurance of most eggs at lowest feeding cost; that the "Calf Meal" or "Horse and Mule Feed" assures the building of calves into a healthier herd or maintains horses and mules in a sleek or healthy condition; that the "Protein Dairy Feed" satisfies the demand for a peak milk production the year round; that the "All Mash Starter" produces better or healthier chicks at lower feed costs, without limiting such basis of comparison to natural as distinguished from other prepared feeds; or that the "Broiler Mash" makes choice, white, juicy or fine-flavored meats. (03038)

Dr. Henry Yee Herb Co., 707 J St., Sacramento, Calif., engaged in the sale and distribution of herbs offered as treatments for various diseases, has stipulated to cease representing by means of advertisements sent through the mail, radio broadcasts, or other media, that the herbs can be depended upon to purify the blood or impart normal healthy tone to the entire body, or that they constitute a competent treatment or effective remedy for nerve symptoms or pains, nervousness, neuritis, rheumatism, liver or kidney disorders, cancer of the bowels, heart trouble, anemia, or other ailments. (3516)

FTC DISMISSES COMPLAINT

The Federal Trade Commission has ordered dismissal of its complaint against The Howell Co., St. Charles, Ill., manufacturer of household and office furniture. The complaint had alleged misrepresentation of a plain carbon steel tube product as a steel alloy containing chromium.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 34, August 28, 1942

A. F. OF M. BULLETIN

Now being prepared is a complete roundup of developments in the Petrillo recording ban. A special bulletin will be issued with next week's *Reports,* which will bring all matters up to date.

TAX EXEMPTION OF ADVERTISING

Paul B. West, President of the Association of National Advertisers, Inc., has written a letter of confirmation and clarification to Mr. Guy T. Helvering, Commissioner of Internal Revenue, following a conference on the subject of the deductibility of advertising expense on corporate income tax returns.

This is a subject of vital interest to all broadcasters and its importance justifies the printing of the entire communication. It follows:

"General Advertising Policy

"The Treasury Department and the Bureau of Internal Revenue fully appreciate the important part advertising plays in our national economy and there is no intention to restrict reasonable and normal advertising by disallowing it as a deductible expense. This was attested to by Secretary Morgenthau in testifying before the Joint Congressional Committee on Taxation when he said:

> 'The test of whether expenditures for advertising are deductible is whether they are ordinary and necessary and bear a reasonable relation to the business activities in which the enterprise is engaged. This is not intended to exclude institutional advertising in reasonable amounts or good will advertising calculated to influence the buying habits of the public. If such expenditures are extravagant and out of proportion to the size of the company or to the amount of its advertising budget in the past, or if they are not directed to public patronage which might reasonably be expected in the future, such payments will be disallowed.'

Duties of the Bureau

"The Internal Revenue Bureau is charged with the responsibility of collecting Federal taxes, among which are the Income Tax and the Excess Profits Tax. It is governed by statute and expects full cooperation from the taxpayer whereby the Government receives its full share of taxes. Thus it is the duty of the Bureau, particularly in view of Excess Profits Tax, to prevent abuses and attempts to avoid the high tax rate. The Bureau has full power to disallow unreasonable expenses for tax purposes.

Increased Advertising Costs

"The Bureau recognizes that advertising costs have been forced upward by reason of increased space and time rates, increased cost of printing, engraving, art work and other advertising production costs. In this connection, the Bureau suggests that advertisers keep their cost records as complete as possible.

Increased Need for Advertising

"The Bureau recognized that in many cases the rationing of gasoline and tire restrictions have cut down on the number and frequency of calls salesmen can make on dealers and that this has thrown an added burden on advertising since expenditures for direct mail and dealer house organs must be increased to keep necessary contact with wholesalers and dealers. This also affects the cost of installation of displays formerly handled by salesmen.

Salvage Campaigns

"Many advertisers are using a large part of their appropriations, and, indeed, have increased them, for the purpose of salvaging materials necessary for the war effort, such as fats and grease, iron, steel, non-ferrous metals, rubber, etc. The Bureau recognizes that such advertising efforts, if they bear a direct relation to the business carried on by the corporation, are essential to obtain raw materials and are, therefore, a normal business expense. As such they will be deductible if made with a reasonable expectation that the corporation's business will be benefited by an increase in materials essential to its operations. The Bureau further recognizes that such use of advertising is normal under abnormal conditions, conditions which have never before existed.

New Products

"Priorities, the cutting off or curtailing of imports, and new research have resulted in some manufacturers bringing out new products. In other cases substitutes have had to be made. In these cases, the manufacturer must inform the public and the trade through advertising in justice to himself, his dealers and the consumer. The Bureau does not question this and will take into consideration all normal factors incident to launching a new product. Such expenditures which are reasonable in amount, taking into consideration the facts in each case, will be allowed as deductions for Federal income tax purposes.

Added Lines

"In certain instances, manufacturers, in order to keep their dealers in business, have been supplying them with alternate products. For example, a rubber manufacturer, to aid his dealer outlets, has added such items as luggage, tools, sports equipment, furniture, etc., to replace tires no longer available. The Bureau recognizes that such a manufacturer must merchandise these to the dealer and the public through advertising. Expenditures for this purpose which are reasonable in amount taking into consideration the facts in each case will be allowed as deductions for Federal income tax purpose.

Changes in Buying Habits

"Some manufacturers, because of priorities, must attempt through advertising to change buying habits. Curtailment of the use of metals has meant the elimination of many types of containers, of small size packages, etc. For example, beverage manufacturers, because of the shortage of plate for bottle caps, must try to educate the public to use large instead of small size bottles. The Bureau recognizes that this calls for advertising expenditures. Such expenditures if reasonable in amount taking into consideration the facts in each case will be allowed as deductions for Federal income tax purposes.

(Continued on page 516)

NAB Reports
The National Association of Broadcasters
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

TAX EXEMPTION OF ADVERTISING

(Continued from page 515)

Advertising to Speed War Production

"Many companies are using advertising and advertising technique to speed the war effort among their own employees. So far this has been directed at one objective—to convince the shop and office worker that he is part of the all-out war effort and hence that carelessness and inefficiency, unnecessary absences and accidents on the production front are detrimental to the men on the fighting front. To accomplish this job, posters, banners, house organs, local newspaper advertising, direct mail, local window displays, motion pictures, spot radio, and many other advertising devices have been used. Undoubtedly, many companies will call on advertising to do a similar job in furthering the sale of war bonds through the payroll-deduction plan. The Bureau recognizes that the expense incident thereto is a justifiable one so long as it is reasonable, whether that expense is listed as a production or a selling (advertising) cost.

New Companies

"Since the war began, certain new companies have come into being and have invested many thousands of dollars in plant equipment for the production of war material. As long as the war lasts, they will have nothing at all to sell the public. Those companies deem it but good business practice to advertise so that when the war ends and they turn to peace time production, the public will be familiar with their names and hence their plant investment may be protected. The Bureau recognizes that advertising by such companies is a proper deductible expense so long as such expenditures are reasonable. As Secretary Morgenthau has said: "The test of whether expenditures for advertising are deductible is whether they . . . bear a reasonable relation to the business activities in which the enterprise is engaged. . . . If such expenditures are extravagant and out of proportion to the size of the company . . . or if they are not directed to public patronage which might reasonably be expected *in the future* such payments will be disallowed."

In General

"It is, of course, impossible for the Bureau to lay down a definite rule in advance which will fit all situations. In general and as Secretary Morgenthau has indicated, the Bureau will be rational and fair, recognizing that advertising is a necessary and legitimate expense of doing business as long as it is not carried on to unreasonable extent or becomes an obvious attempt to avoid tax payments. This principle applies whether the company has no government contracts, whether it is selling both to government and to consumers or industry, whether it is wholly converted to war production, whether it is a new company selling only to government, or whether it is a new company selling to government and industry.

"The Bureau has no desire to be arbitrary but it will, of course, uphold the statutes. Its collectors will, in each individual case, examine the records and act accordingly. If an advertiser feels the decision of the collector is wrong, the burden of proof of that fact rests upon him. He can, of course, appeal the decision if he feels an injustice has been done.

Advertising for the Government

"Under Section 23 (o) of the Code, an individual may make a gift to the government and deduct that gift from his income tax. Section 23 (q), however, referring to corporations, omits this provision. There is, therefore, no provision in the law for allowing as a deductible expense monies or time or space given directly to the government for advertisements signed solely by a government bureau or department. If, on the other hand, advertisements featuring the sale of War Bonds, conservation, nutrition or other government objectives are clearly signed by a corporation, such as "This space donated by the John Jones Co., manufacturers of Jones' vitamins," the advertisement will be considered as an institutional or good will advertisement of the manufacturer and hence, deductible, *provided, of course, that the expenditure is reasonable and not made in an attempt to avoid proper taxation.*

"Advertising"

"By 'advertising,' the Bureau includes all forms of advertising recognized by the industry of which the individual company is a part, such as newspaper, periodical, business paper, radio, car card, outdoor, display, motion pictures, house organs, direct mail; etc.

Advance Rulings in Individual Cases

"In view of the foregoing matter the Bureau feels that applications for rulings in advance on advertising expenditures of specific companies should be necessary only in most unusual circumstances. If an advertiser will follow the rules laid down, he should have no difficulties in determining whether a given advertising expense is justifiable or not.

"The Bureau will consider applications for individual rulings on specific items but the advertiser should realize that no obligation rests upon the Bureau to render such rulings, that the Bureau is busy with an unusual volume of work, and that, in general, it believes such rulings will be unnecessary in the light of information put forth in this letter."

BWC LABOR QUESTIONNAIRE

At the direction of the Board of War Communications and with the cooperation and approval of the War Manpower Commission, the Industry and Labor Advisory subcommittees of the Board are conducting a current survey of labor requirements and supply in the communications industry. In cooperation with the War Manpower Commission, lists of critical occupations are being prepared for the various branches of communications. In addition, the United States Employment Service is extending its regular surveys of labor supply to cover the communications industry. This will mean that future forecasts of potential shortages will be predicated on the same reporting basis as for other vital industries. The fullest cooperation of all branches of the industry, both with the Board and with the agencies associated with the War Manpower Commission, is necessary.

A questionnaire was mailed to all radio station licensees and communication companies on August 20 and is returnable one week after receipt.

Broadcast stations have requested information concerning proper tabulation of employees not included under classifications appearing on the questionnaire.

In order that the information received from broadcast stations will be of maximum value to the Domestic Broadcast Committee of BWC it is important that the method of classifying employees be uniform. It is therefore suggested that employees listed below be tabulated under the column indicated on the questionnaire.

Classification	*of Questionnaire*
Station Managers	(E) (2)
Asst. Station Managers	(E) (2)
Sales Managers	(E) (1)
Salesmen	*
Program Directors	E - 1
Announcers	*
News Editors	*

Classification	*of Questionnaire*
Continuity Writers	*
Musicians	*
Chief Engineers	G
Technical Super.	G
Maintenance Men (Technical)	H
Operators (Licensed)	I
Operators (No License—or Restricted License)	J
Office Managers	E - 1
Clerical & Accounting	F
Non-skilled, General	*

* Enter on additional vertical columns to be added to form 62348.

Employees performing dual duties should be entered as one employee in each classification and a statement attached setting forth the approximate portion of time devoted to each classification.

The same procedure also applies to part time employees.

THURMAN ARNOLD CONDEMNS ASCAP INTERPRETATION OF CONSENT DECREE

In a letter dated August 18, 1942 addressed to Broadcast Music, Inc., Thurman Arnold, Assistant Attorney General, refers to a letter written by John G. Paine, General Manager of ASCAP to all ASCAP members as putting too narrow an interpretation upon the Department of Justice's communications with respect to the consent decree signed by ASCAP.

Mr. Arnold points out that a portion of his letter is construed by Mr. Paine "to mean that ASCAP has the right to institute disciplinary action against any member who seeks to discuss or advise with any third party, including BMI, concerning the issuance direct to users of performing licenses." Says Mr. Arnold:

"This is too narrow an interpretation of the language of my letter of July 13th. Discussions between third parties (including BMI) and an ASCAP member for the purpose of determining the free and voluntary wishes of an ASCAP member in connection with the issuance of performing licenses direct to users is not prohibited by the decree provided such third party offers no secret inducement."

This letter is a vindication of BMI's positon that ASCAP members, under the decree, may issue gratuitous licenses permitting the performance by broadcasters of works published by BMI and its affiliates.

The letter of the Department of Justice indicates clearly that ASCAP has no right to institute disciplinary action against any ASCAP member who freely and voluntarily issues such performing licenses. A copy of Thurman Arnold's communication in full is appended hereto.

In accordance with the letter from Thurman Arnold, BMI expects to publish the works of a number of ASCAP writers who have indicated their intention to grant gratuitous licenses directly to broadcasting stations.

Priorities

Inquiries have been received at NAB concerning the assignment of a preference rating of A-1-J to orders for replacement vacuum tubes. A WPB informant states as follows:

"The rating of A-1-J under P-129 is applicable to vacuum tubes and other items which contain copper as a functional part for maintenance and repair items used in broadcast stations. Items not containing copper should be assigned the preference rating A 3."

WHILE CONGRESSMEN ARE HOME

While the capital city continues to be a veritable beehive of industry incident to the war effort, things on Capitol Hill these days are more quiet than usual. Although Congress has not officially adjourned, most of the senators and representatives have gone back home to look after their political fortunes and to talk to the home folks.

With many legislative matters vitally affecting radio pending before Congress, such as the Sanders bill and the Tax bill, broadcasters should make it a point, where convenient, to contact their congressmen and senators and assist them in gaining a better understanding of radio's problems.

All stations have received the reprint of Earl Glade's article, "The Broadcast Industry Prepares for Its Most Important Season" (NAB Reports, page 487). This is excellent material to place in the hands of congressmen or senators. The very effective contribution radio is making to the war effort should be emphasized to members of congress, for while most of them appreciate what radio has done, few of them have any conception of the magnitude of the contributions made.

While NAB is vigilant in matters of legislation affecting the industry, the best results can be obtained by a continuing interest on the part of local broadcasters and effective contact with their representatives and senators.

DRAMATIZED POLITICAL BROADCASTS

Several inquiries have been received at NAB headquarters regarding the question of dramatized political broadcasts. This is a subject which recurs at the outset of every political campaign. Some misunderstanding seems to exist with reference to the industry policy upon the matter.

While there is no specific provision in the NAB Code covering this subject, the Board of Directors of the NAB in 1940 reaffirmed the position which it had previously expressed at the time the Code was adopted. This position enunciated an industry policy which limits political broadcasts to "political speeches, interviews and announcements, and the remote control broadcast of any bona fide political meeting."

While the subject of dramatization of political announcements and programs is not specifically mentioned, they are by every reasonable implication excluded. The reasons underlying this exclusion of dramatized political broadcasts would seem to be quite apparent.

Broadcasters in making their facilities available for political campaigns and to candidates for public office are instrumentalities for the dissemination of accurate information and facts as an aid to the voters in determining policy and selecting public officials. Every precaution should be taken to see that this obligation is fully and honestly discharged. Dramatizations of any kind often resort to what may be termed "dramatic license." Frequently dramatic techniques do not always conform to fact. The NAB Board of Directors has consistently felt that the interests of the industry, as well as of the voting population is best served by elimination of dramatized announcements and programs.

FAT SALVAGE CAMPAIGN

Inquiries continue to come into NAB from stations regarding the Fat Salvage campaign. Information regarding this campaign was published in an earlier issue of "NAB Reports" (page 453). The campaign is, as there stated, sponsored by the Association of Soap and Glycerine Institutes, 381 Fourth Avenue, New York City. The agency handling the account is Kenyon & Eckhardt, 247 Park Avenue, New York City.

Listener Activities

KTMS SCHOOL BROADCAST

Ken Peters, program director of KTMS, Santa Barbara, Calif., tells of a program recently inaugurated by that station, which seems worthy of consideration by other broadcasters.

"According to our plans," writes Mr. Peters. "every school in both Santa Barbara and Ventura counties will tune in KTMS for a special school news broadcast each morning at 9:15 A.M. This news broadcast will be given from our studios by one of the teachers. At the same time every teacher in every classroom will be at the blackboard before a map of the world, pointing out the location where the war is being waged at that particular time.

"These broadcasts, of course, are public service features of our station, and the only commercials to be used will be in the form of plugs for defense stamps and bonds."

RADIO COUNCIL AT WORK

The Minnesota Radio Council, with a representation through its members of 100,000, has served since its organization 3 years ago, to develop outstanding original sustaining programs, to improve the discrimination of radio listeners and to teach them to take advantage of the cultural opportunities offered by the broadcasters, and above all, to give practical training in radio techniques to its members to enable them to use radio effectively as a medium for informing and entertaining the public.

This broad objective has enabled the Council to serve this state in a very practical and definite way. It has served organizations such as the American Association of University Women, The Minnesota State Library Association, The Minnesota Public Health Association, and others, by assisting them to become articulate through the medium of radio. It has served the broadcasting stations by acting as a training ground for those who want to use the radio.

To a great extent, The Minnesota Radio Council is responsible for the high standard of sustaining shows presented to the local stations for broadcasting. This has been accomplished through Council meetings where demonstration broadcasts, analyses of radio techniques, actual demonstrations of radio production have constituted an intensive short-course in professional radio. This instruction has given organizations requesting time on the air a working knowledge of what a radio program is, difficulties involved in its production, and a conscientious desire to serve the radio station by meeting its requirements for entertainment in sustaining shows. Incidentally, through its demonstration programs, the Council has assisted many young people to recognition. Through the use of this talent on organization shows, this service to young aspirants in the field of radio has been continued and amplified. Obviously, no statement of service can be given which excludes the wider service to the people of the Northwest, the radio audience itself. For there is a vast difference between a good sustaining show, based upon the historical background of the state, for example, than the now fast-becoming-obsolete organization program with its "talk" by a chairman, or board representative, its perfunctory airing of some group ego, in a dull and lifeless and thoroughly non-professional manner.

Because its meetings form a work-shop for radio problems, the Council's programs have had many far-reaching effects. For example, Luther Weaver, member of the University of Minnesota faculty in its Extension Division, discussed radio script at a July '42 meeting. So interested was Mr. Weaver in the work of the Council and its objectives, that he has persuaded the University of Minnesota to offer a course in "How To Listen To Radio" as a new feature in the Extension Division. A statement concerning the course, from the new University of Minnesota Extension Division 1942-43, follows:

"Though millions of Americans listen to the radio every day, few of us know how to get the most out of this source of information and enjoyment. This course aims to make radio the efficient public servant it can become to each of us. It will point out sources of information about programs, clear up deaf spots in listening habits, and suggest standards for evaluation and criticism."

There is no pre-requisite to this course, which is probably unique in education.

Directing women's organizations toward more effective war service by helping them create radio programs on the vital subjects of nutrition, morale-building, the problems of the home front, has been and is the chief task of the Minnesota Radio Council during the forthcoming year. Its war service programs, public health programs and programs for children bear the stamp of alertness to the nation's needs, and a growing consciousness of the effective part which radio which reaches and holds the attention of women in the home, can play in these times.

WOMEN DIRECTOR'S ASSOCIATION

In response to the first call for membership in the Association of Women Directors of the National Association of Broadcasters every district replied enthusiastically. Letters were received from 40 states, only Vermont, Wyoming, Nevada, Virginia, Arkansas, North Dakota, Colorado and Southern California are yet to be heard from. All members report success in using the releases already sent out and anticipate the regular Bulletin when it appears under the Editorship of Miss Jane Weaver, Station WTAM Cleveland, Ohio. Every member is urged to send an item to her for inclusion in the first issue.

Mrs. Dorothy Lewis, Coordinator of Listener Activities, was asked to appoint Chairmen in each NAB District, who, in turn, will ask one Director in each state to serve as Vice Chairman. These chairmen will seek to reach every eligible member so that at meetings in each district all may get acquainted and better cooperate in the war effort and the field of radio itself.

The following women have been asked to serve as District Chairmen:

District 1	Miss Caroline Cabot, WEEI, Boston, Mass.
District 2	Miss Jean Lawrence, WGY, Schenectady, N. Y.
District 3	Miss Virginia Covey, KDKA, Pittsburgh, Pa.
District 4	Miss Mary Mason, WMAL, Washington, D. C.
District 5	Miss Evelyn Hicks, WSGN, Birmingham, Ala.
District 6	Miss Marjorie Cooney, WSM, Nashville, Tenn.
District 7	Miss Ruth Lyons, WLW, Cincinnati, Ohio.
District 8	Miss Ruth Crane, WJR, Detroit, Mich.
District 9	Miss Millicent Polley, WHBK, Rock Island, Ill.
District 10	Miss Peggy Cave, KSD, St. Louis, Mo.
District 11	Mrs. Hayle Cavenor, WCCO, Minneapolis, Minn.
District 12	Miss Dorothy McCune, KVOO, Tulsa, Okla.
District 13	Miss Peggy Morris, WFAA, Dallas, Texas.
District 14	Mrs. H. M. Fletcher, KSEI, Pocatello, Idaho.
District 15	Miss Ann Holden, KGO, San Francisco, Calif.
District 16	Miss Leah McMahon, KFSD, San Diego, Calif.
District 17	Miss Susan Allen, Spokane, Wash.

"THE *UN*CONQUERED PEOPLES"

The National Council of Women, through the Listeners Activities Department, has prepared another series of spot announcements for the Association of Women Directors, under the title, "The *Un*conquered Peoples". Here is a subject that is filled with drama and pathos. It stirs our imaginations and should serve as a stimulus to all Americans to increase their all-out effort to win the war. In this country we are, in reality, working side by side with these courageous, *un*conquered peoples, who by indirection are aiding in the ultimate fall of the Axis powers. These people are ingeniously and relentlessly implementing the adage, "Where there's a will, there's a way". The spirit of these *un*conquered peoples points the way to freedom.

Programs for Victory

2 GOOD SHOWS AT KMA

Earl May's KMA, Shenandoah, Iowa, is currently involved with a couple of good programs.

"The first, 'News For Americans,' a five-a-week quarter-hour, explains Bill Bates, program director, was conceived to organize and correlate much of the flow of government information into a listenable unit. The material, handled by two announcers, is presented under four sub-heads: 'News From The Home Front,' 'News From the Farm Front,' 'News From the Factory Front,' and 'News From The Fighting Front'. Organ provides dramatic backbround and transitions.

"This program also promotes the second, 'The K M A Victory Auction, a Saturday afternoon half-hour. A professional auctioneer donates his services to auction off to participating audience articles brought in by listeners. Anything saleable worth ten cents up is auctioned, and contributors are paid off in stamps or bonds.

"Station talent provides draw; and to add interest, hats, ties, wigs, etc., worn by talent are offered for auction. 'Auction,' takes place on half-block vacant lot across the street from K M A.

WCLO AND GAZETTE WORK TOGETHER

Well placed announcements and one to three fifteen minute programs daily sell war stamps and bonds for WCLO, Janesville, Wis. The Janesville Gazette with which the station is associated also has a part in the big push. On August 15 the paper ran a full page and the WCLO Bond Wagon received a big play. James F. Kyler says "We're doing all right."

KVOO SAVES STRAWBERRIES

An issue of "Oklahoma Extension News," monthly publication of the Oklahoma Agricultural and Mechanical College Extension Division, just received, features an article dealing with KVOO's hard hitting campaign which saved a large part of eastern Oklahoma's strawberry crop.

The rescued strawberries, said Walt Dennis, sales promotion manager, will be eaten this winter by our allies. He thinks the station's service is just another example of how the medium contributes to the nation's war effort.

OWI RADIO CAMPAIGN

The Office of War Information today announced a special radio campaign designed to inform the American people of the facts of the war effort of the United Nations.

The campaign—described as the most important ever attempted thus far by the United States Government through the medium of radio—will begin September 14 and continue through October 26, 1942.

All radio stations throughout the country were sent a telegram this morning announcing the plan, and a complete presentation was sent by mail later in the day.

In a memorandum to stations, William B. Lewis, Chief of the Radio Bureau of the Office of War Information, said "I need not stress the importance of acquainting the American public with the true facts about the United Nations. It is obvious that for complete unity of effort by our people, every American should be completely informed on the contributions of every member of the United Nations."

Stations will be furnished with 43 transcribed one-minute spot announcements, featuring such famous news commentators as:

H. V. Kaltenborn
William Shirer
Gabriel Heatter
Walter Winchell
Raymond Clapper
John Gunther
John W. Vandercook
Earl Godwin
Lowell Thomas
Raymond Gram Swing
Pearl Buck

Transcriptions will feature war effort *facts*, in concise announcements, on fourteen of the major United Nations including England, Russia, China, Greece, The Fighting French.

V-MAIL CAMPAIGN

The War Department has assigned United States broadcasters the major role in promoting the use of the revolutionary new V-Mail system of handling letters to and from American armed forces overseas. Last week, over the signature of Lt. Col. E. M. Kirby, chief of the Radio Branch of the War Department Bureau of Public Relations, regular V-mail letters were sent out to broadcasters, news commentators, network program producers and women's commentators, calling upon them for cooperation in promoting the use of V-Mail. The opening gun was sounded August 23 on *The Army Hour.*

The new V-Mail technique, developed as a large-scale operation to facilitate the handling of the huge volume of correspondence to and from American soldiers, sailors and Marines on overseas duty, is based on a process of micro-filming letters written on special V-Mail forms. These special forms are available free of charge at U. S. post offices at present, although it is planned to permit their manufacture, under government license, and sale at retail. V-Mail service is supervised by the Army Postal Service, cooperating closely with the Post Office Department.

When facilities for reproduction are available at overseas posts, V-Mail letters are photographed on 16 mm. film in this country, and reels of this film, containing thousands of letters in a small space and with little weight, are flown overseas, where photographic copies are made for delivery to the addressee. The same idea holds for letters from overseas to addresses in this country. When reproduction facilities are not available, the V-Mail letter, in its original form, is dispatched to the overseas address under the highest mail priority. Ultimately, it is planned, the micro-film process will be used for most of the overseas mail to members of the armed forces.

WARTIME FOREST FIRE PREVENTION

The following letter of appreciation for the work done by the broadcasting industry in behalf of the Wartime Forest Fire Prevention was received by President Neville Miller from R. F. Hammatt, director of the campaign:

"The splendid manner in which the American broadcasting industry is cooperating in the nationwide Wartime Forest Fire Prevention campaign merits far more appreciation than can be expressed in any ordinary letter.

"Here are three typical examples of that cooperation.

"One: On July 20 Wallace Kadderly, of the Radio Service of the Department of Agriculture, solicited 800-odd individual stations on the possibility of using prepared transcription material relating to the campaign. To date more than 55 per cent of the contacted stations have expressed a desire to use that forest fire prevention material.

"Two: On Friday night, July 24, CBS devoted its entire 'Report to the Nation' program to forest fire prevention.

"Three: Station KTFI, affiliated with NBC, says it has scheduled the forest fire transcription as follows:

" 'The one-minute spots on Tuesday at 6:45 p. m., Wednesday at 3:15 p. m., and Friday at 10:30 p. m.; the 4½-minute spots on Mondays and Fridays at 5:25 p. m.; the 20-second spot, Tuesday at 3:45 p. m.; the 15-second spot at 4:45 p. m. on Thursdays. This schedule will continue through September 15, and the transcription will be returned after the above date.'

"Through you, and on my own behalf as well as for the Forest Service, I want to express sincere thanks to the members of your Association for such generous and helpful cooperation."

DIRECTOR GENERAL OF BBC VISITS

Sir Cecil Graves, director general of the BBC, who recently came to the United States to study American broadcasting, was a visitor at NAB headquarters this week. He was accompanied by Mr. Lindsay Wellington, North American director of BBC.

A branch office has been established in Washington, in charge of Miss Annette Ebsen.

MILLER LOANED TO WAR DEPARTMENT

Joseph L. Miller, NAB director of Labor Relations, was requisitioned by the War Department to serve temporarily as Labor counseller in connection with the taking over, under War Labor Board orders, of the S. A. Wood Machine Company plant at Boston.

The assignment will consume a week or ten days, after which Mr. Miller will return to full time service at NAB headquarters.

LEE DE FOREST FELICITATED

Lee deForest, pioneer radio figure, was felicitated by President Miller on behalf of the industry on his sixty-ninth birthday.

Mr. deForest is now living in retirement in Los Angeles.

NOT A GOVERNMENT ORGANIZATION

Several stations have queried NAB for information regarding a questionnaire sent by Robert J. Coar, director, Radio Room, Old House Office Building.

The question most frequently raised was whether this was a government agency. The answer is "No"; this is a commercial proposition.

What apparently raised the question was the address, "Radio Room, Old House Office Building", and question six of the survey, "We will or will not make records for the government."

COURSE FOR ANNOUNCERS IN CANADA

President Glen Bannerman, Canadian Association of Broadcasters, writes that a special course for radio announcers has been arranged by the association and the Ontario Agricultural College, Guelph, Ont.

The course begins September 1 with twenty-five students, and ends on the 25th. It is especially designed to impart a knowledge of microphone technique. and is open to men and women eighteen years and over. But only men ineligible for active war service will be admitted.

WCAU BEGINS PAID RADIO COLUMN

WCAU, Philadelphia has inaugurated a daily radio column, "This Is Radio", as paid advertising, in the Philadelphia Inquirer.

It is assembled by the station's publicity staff and maintains the news-room approach. Items are not devoted exclusively to WCAU and CBS, but drawn from the Mutual, NBC and Blue, as well as from other Philadelphia stations. Copy is set two columns by half column deep.

Harry Murdock, formerly with the Evening Public Ledger, is the station's new assistant director of publicity and station promotion.

WAKEFIELD SPEAKS OPTIMISTICALLY

FCC Commissioner Ray C. Wakefield, speaking before the Public Utility Section of the American Bar Association at its annual convention in Detroit, August 25, gave an over-all picture of the difficulties which communications agencies are experiencing in their wartime operations. He spoke of the tremendous change which the war had wrought in the Commission's regular work and in the number of people required to discharge the tasks which it has been called upon to perform.

He revealed that in July of 1940 the peacetime staff of the Commission numbered about 750, consisting of lawyers, engineers, accountants and necessary administrative and clerical staffs. Today the Commission has a staff of some 2,000, the majority of which devotes full time to work directly connected with the war effort, while the others find more and more of the impact of war on their work. He also referred to the additional burden put upon the Commission by the Board of War Communications work, of which FCC Chairman Fly is also chairman.

Speaking of priorities, Commissioner Wakefield said, "Although WPB has recognized the vital needs fulfilled by communication services in its priority systems, allocation of materials has been insufficient to enable the companies to maintain their peacetime efficiency." He also referred to the tremendous turnover in personnel and sounded a warning note. He said, "The difficulties of communications companies in handling the increased traffic have been aggravated by the substantial loss of personnel to the armed forces. The strain on experienced technical employees has been heavy and will probably continue to be so for some time. To fill the gap the companies have had to recruit inexperienced persons and engage in a general program of training."

Referring specifically to the Commission's activities in the broadcasting field, Mr. Wakefield said, "Since that time, the Commission's work in broadcasting has been sharply affected by the scarcity of materials and the necessity of conserving whatever materials and personnel are available. As you may know, by opinions issued on February 24 and April 27, the Commission has adopted a policy which, in effect, has placed a halt on broadcast construction and expansion. In the field of high frequency (FM) broadcasting, the Commission has deemed it advisable to grant licenses where the construction, though not fully completed, has proceeded to the point where it is capable of rendering a substantial public service. Unfortunately, it became necessary to dismiss a number of applications which has been pursued diligently, and in some cases, with a great deal of expense. These applicants, through no fault of their own, had been caught in the web of circumstances. But I must say that, by and large, they have graciously accepted their fate in a spirit indicative of an all-out desire to aid the war effort.

"However, research and the development of the art of broadcasting is being steadily encouraged. It is our hope that just as radio emerged from the first world war as an industry of great national significance, the coming of peace will find radio an even more advanced medium of communication. Television, high frequency (FM) and facsimile broadcasting all appear as bright spots in the radio picture. They present distinct possibilities as post-war industries to take up the inevitable slack in employment and production that comes with the release of armed forces and the closing of war industries."

NEW YORK

Estimated Radio Homes, 1940

Number of Occupied Dwelling Units as reported by U. S. Bureau of the Census in advance release, Series H-7. Percent radio-equipped calculated from Series H-7 Bulletin following the Census Bureau practice. Number of radio units or radio homes estimated by applying percent ownership to those units not answering radio question and adding such to those reporting radio.

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
County	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Albany	62,616	95.8	59,994	49,323	96.3	47,505	10,592	95.5	10,117	2,701	87.8	2,372
Allegany	11,191	85.6	9,585	1,703	95.7	1,630	6,060	88.0	5,331	3,428	76.5	2,624
Bronx	377,843	97.9	370,084	377,843	97.9	370,084	......	....	......	......	....	......
Broome	43,739	94.3	41,249	30,152	95.9	28,919	9,859	94.5	9,313	3,728	80.9	3,017
Cattaraugus	19,869	90.0	17,878	8,975	94.8	8,512	6,192	90.0	5,571	4,702	80.7	3,795
Cayuga	18,057	91.0	16,434	9,418	95.7	9,013	4,342	89.5	3,888	4,297	82.2	3,533
Chautauqua	35,976	93.1	33,487	22,547	95.5	21,526	7,024	92.9	6,529	6,405	84.8	5,432
Chemung	20,576	93.8	19,296	14,600	95.3	13,916	4,152	94.3	3,917	1,824	80.2	1,463
Chenango	10,387	87.5	9,082	2,588	95.8	2,479	4,120	89.9	3,705	3,679	78.8	2,898
Clinton	11,859	82.7	9,982	4,100	94.7	3,882	4,555	80.3	3,659	3,204	76.2	2,441
Columbia	11,708	89.8	10,514	3,054	93.6	2,858	5,800	89.7	5,205	2,854	85.9	2,451
Cortland	9,689	91.6	8,879	5,581	96.0	5,358	1,975	88.5	1,749	2,133	83.1	1,772
Delaware	11,414	84.0	9,592	2,021	92.5	1,869	5,282	83.6	4,415	4,111	80.5	3,308
Dutchess	28,532	92.5	26,386	15,224	94.3	14,358	9,899	90.7	8,974	3,409	89.6	3,054
Erie	208,868	97.1	202,875	175,737	97.5	171,345	25,318	96.9	24,524	7,813	89.7	7,006
Essex	8,707	85.8	7,473	2,272	93.5	2,124	4,740	84.6	4,009	1,695	79.1	1,340
Franklin	11,186	82.6	9,235	5,091	93.3	4,749	3,089	78.1	2,414	3,006	68.9	2,072
Fulton	14,648	92.3	13,523	10,504	95.7	10,056	2,748	86.6	2,381	1,396	77.8	1,086
Genesee	11,872	93.2	11,074	5,845	96.4	5,637	2,926	90.7	2,655	3,101	89.7	2,782
Greene	8,201	89.8	7,363	1,638	93.6	1,533	4,447	89.3	3,972	2,116	87.8	1,858
Hamilton	1,184	82.0	971	....	....	....	926	83.1	770	258	78.1	201
Herkimer	16,412	92.4	15,170	10,876	95.9	10.426	2,946	89.1	2,624	2,590	81.9	2,120
Jefferson	23,113	90.1	20,834	10,464	94.0	9,831	8,043	89.6	7,203	4.606	82.5	3.800
Kings	716,933	97.2	696,679	716,933	97.2	696,679	......	....	......	......	....	......
Lewis	5,980	82.0	4,905	1,063	92.1	979	2,666	82.1	2,188	2,251	77.2	1,738
Livingston	9,521	90.1	8,577	2,307	94.0	2,168	4,355	93.0	4.048	2,859	82.6	2,361
Madison	11,272	90.2	10,163	4,118	95.0	3,911	4,026	90.8	3,655	3,128	83.0	2,597
Monroe	121,086	97.2	117,687	100,720	97.3	98,001	15,074	97.5	14,697	5,292	94.3	4,989
Montgomery	16,497	94.5	15,588	10,792	96.7	10,434	3,652	93.1	3,399	2,053	85.5	1,755
Nassau	108,051	97.6	105,487	52,736	98.0	51,679	54,141	97.3	52,683	1,174	95.8	1,125
New York	548,378	94.1	515,992	548,378	94.1	515,992	......	....	......	......	....	......
Niagara	42,018	96.3	40,453	32,127	97.3	31,269	5,211	95.3	4,968	4,680	90.1	4,216
Oneida	52,783	93.7	49,453	37,448	95.1	35,602	10,340	93.0	9,615	4,995	84.8	4,236
Onondaga	80,630	96.3	77,634	61,932	97.2	60,227	12,981	94.5	12,267	5.717	89.9	5,140
Ontario	14,869	92.8	13,805	6,443	95.6	6,162	4,621	92.4	4,272	3,805	88.6	3,371
Orange	36,975	93.1	34,416	21,613	94.7	20,467	11,060	91.8	10,151	4,302	88.3	3,798
Orleans	7,954	89.8	7,147	3,112	94.4	2,939	2,132	88.3	1,882	2,710	85.8	2,326
Oswego	19,554	90.8	17,752	9,418	95.7	9,015	4,932	88.5	4,364	5,204	84.0	4,373
Otsego	13,486	87.1	11,737	4,287	94.9	4,067	5,039	85.9	4,331	4,160	80.3	3,339
Putnam	4,428	90.9	4,023	....	....	....	3,743	91.5	3,426	685	87.2	597
Queens	361,689	98.5	356,324	361,689	98.5	356,324	......	....	......	......	....	......
Rensselaer	34,447	94.9	32,681	23,953	96.3	23.070	7,173	94.3	6.761	3,321	85.8	2,850
Richmond	43,076	97.3	41,934	43,076	97.3	41,934	......	....	......	......	....	......
Rockland	16,252	94.3	15,333	5,823	94.3	5,489	9,739	94.3	9,187	690	95.2	657
St. Lawrence	23,058	86.3	19,904	9,932	94.4	9,381	6,574	82.7	5,434	6,552	77.7	5,089
Saratoga	18,271	92.1	16,833	9,825	95.9	9.426	5,578	89.8	5,012	2,868	83.5	2,395
Schenectady	35,246	97.0	34,199	27,711	97.2	26,925	6,466	97.8	6,325	1,069	88.8	949
Schoharie	6,116	83.8	5,127	812	94.1	764	2,504	84.8	2,123	2,800	80.0	2,240
Schuyler	3,780	86.0	3,254	869	95.2	827	1,395	87.3	1,218	1,516	79.7	1,209
Seneca	6,351	89.9	5,706	2,891	93.9	2,714	1,704	88.8	1,513	1,756	84.2	1,479
Steuben	23,575	88.0	20,748	11,297	95.1	10,741	6,877	87.7	6,033	5.401	73.6	3,974
Suffolk	47,626	93.7	44,651	9,667	95.7	9,249	34,830	93.5	32,556	3,129	91.0	2,846
Sullivan	10,810	88.0	9,515	2,257	94.1	2,124	5,425	87.5	4,745	3,128	84.6	2.646
Tioga	7,914	86.4	6,850	3,239	92.7	3,002	2,270	86.4	1,961	2,405	78.5	1,887
Tompkins	12,345	92.1	11,369	6,009	96.6	5,804	3,759	91.1	3,423	2,577	83.1	2,142
Ulster	24,761	90.6	22,427	10,620	94.4	10,025	9,868	88.0	8,685	4,273	87.0	3,717
Warren	10,348	88.9	9,199	5,396	95.7	5.164	3,749	84.7	3,177	1.203	71.3	858
Washington	12,369	87.5	10,823	4,932	93.7	4,621	4,219	85.4	3,604	3,218	80.7	2,598
Wayne	15,023	90.7	13,630	4,176	96.3	4,022	5,311	91.1	4,838	5,536	86.2	1,770
Westchester	147,735	97.4	143,924	124,262	97.5	121,169	22,481	97.1	21,821	992	94.2	934

NEW YORK—Continued

County	All Units Units	% Radio	Radio Units	Urban Units Units	% Radio	Radio Units	Rural-Nonfarm Units Units	% Radio	Radio Units	Rural-Farm Units Units	% Radio	Radio Units
Wyoming	8,310	89.9	7,471	2,418	94.7	2,290	2,956	92.0	2,718	2,936	83.9	2,463
Yates	4,949	88.8	4,394	1,692	96.2	1,628	1,393	87.1	1,213	1,864	83.3	1,553
State Total	3,662,113	95.5	3,498,754	3,055,529	96.7	2,953,894	423,279	92.4	391,218	183,305	83.8	153,642

Cities of 25,000 or More Population

City	County	Units	% Radio	Radio Units
Albany	Albany	37,976	96.4	36,591
Amsterdam	Montgomery	9,040	96.7	8,742
Auburn	Cayuga	9,418	95.7	9,013
Binghamton	Broome	20,553	95.4	19,614
Buffalo	Erie	151,937	97.5	148,105
Elmira	Chemung	12,476	95.4	11,904
Jamestown	Chautauqua	13,235	95.3	12,609
Kingston	Ulster	8,217	94.2	7,738
Mount Vernon	Westchester	18,228	97.5	17,769
Newburgh	Orange	9,157	94.7	8,670
New Rochelle	Westchester	14,361	97.2	13,954
New York City	....	2,047,919	96.7	1,981,013
Bronx Borough	Bronx	377,843	97.9	370,084
Brooklyn Borough	Kings	716,933	97.2	696,679
Manhattan Borough	New York	548,378	94.1	515,992
Queens Borough	Queens	361,689	98.5	356,324
Richmond Borough	Richmond	43,076	97.3	41,934
Niagara Falls	Niagara	20,322	97.4	19,799
Poughkeepsie	Dutchess	11,336	93.9	10,646
Rochester	Monroe	90,039	97.1	87,466
Rome	Oneida	7,811	95.4	7,453
Schenectady	Oneida	25,306	97.0	24,535
Syracuse	Onondaga	57,009	97.3	55,452
Troy	Rensselaer	19,672	96.1	18,906
Utica	Oneida	26,915	95.0	25,563
Watertown	Jefferson	9,293	94.0	8,734
White Plains	Westchester	10,435	98.2	10,243
Yonkers	Westchester	38,516	97.4	37,522

FEDERAL COMMUNICATIONS COMMISSION

FCC STUDIES FREEZE ORDER

The FCC has appointed a Committee composed of Commissioners Craven, Payne and Durr, to make a study of pending applications and problems arising thereunder, having to do with the use of materials and the construction or change of broadcasting facilities; and to submit to the Commission their conclusions as to what changes, if any, the Commission should recommend to the Board of War Communications and the War Productions Board.

RADIO COMPENSATION AND EMPLOYMENT UP

The FCC Report shows that employment in broadcasting, including station and network staff employees, had increased in the sample week of 1941 over a similar week in 1940. Following is the comparison:

	Week beginning Oct. 13, 1940	Week beginning Oct. 12, 1941
Full time staff employees	21,646	23,666
Part time staff employees	4,007	3,978
Total	25,653	27,644

The above figures include only those employees hired directly by stations and networks. They do not include those engaged in radio, hired by advertising agencies and clients, recording companies, etc.

The Commission's report is as follows:

"Personnel increases and advances in average salaries in the radio broadcasting industry again were reflected in annual financial reports of stations and networks which are filed with the Federal Communications Commission. Using the week beginning October 12, 1941 as a base period, three national networks, five regional chains and 817 standard broadcast stations reported that 23,666 persons were employed on a full time basis having a weekly payroll of $1,138,249. This showed a personnel increase of 2,020 people for the industry, and a growth of the weekly salary total by $121,883 over a similar period in 1940.

"Exclusive of executive personnel the average weekly wage at the national radio chains was $57.41, representing a dip of fourteen cents from the year before, while the $48.39 average at regional networks represented a $6.81 climb, and individual station increases of $1.13 brought average pay envelopes to $38.88. Staff musicians and artists employed full time are included in the totals but those persons hired by radio departments of advertising agencies or program sponsors are not. The eight broadcasting systems had 4,009 full time workers and the remaining employees were on the rolls of individual stations. FCC accountants after studying earlier reports stated that 1941 returns show the consistent growth of employment and average compensation within the broadcasting business.

"The average weekly compensation for the 19,567 full-time employees of the 817 stations was $45.15, an increase of $1.64 over 1940. Of these full-time employees 2,426 were in the executive class with an average weekly pay of $89.46, an increase of $5.04 over 1940, while the remaining 17,141 below the grade of executive had an average weekly income of $38.88, an increase of $1.13 over 1940. For the major network executives the average was $258.83 as compared with $251.68 for 1940, while the major network employees below the grade of executive was $57.41, a decrease of 14 cents from 1940. It is noted that the employees of the regional networks had a more encouraging experience with the executive class advancing from an average weekly pay of $91.50 in 1940 to $137.57 in 1941 while those below the grade of executive were having an increase in pay from $41.58 in 1940 to $48.39 in 1941.

"Reports from the licensees of 817 stations were included in the tabulations for 1941 compared with 765 stations for the year 1940. The 1941 tabulations for full-time employees of unlimited time stations reveal the following:

Class of Station	*Type of Employee*	*Number of Stations*	*Number of Employees*		*Compensation of Employees*	
			Total	*Average Number Per Station*	*Total*	*Average Compensation Per Employee*
Clear Channel	Executives	59	284	5	$ 39,897	$140.48
	Other than Executives		3.924	66	200,633	51.13
	Total—Clear Channel	59	4.208	71	$240,530	$ 57.16
Regional	Executives	251	965	4	101,070	$104.75
	Other than Executives		6.948	28	273,604	39.38
	Total—Regional	251	7,913	32	$374,674	$ 47.35
Local	Executives	401	865	2	52,568	$ 60.77
	Other than Executives		4,445	11	123,346	27.75
	Total—Local	401	5.310	13	$175,914	$ 33.13
All Classes	Total for Executives	711	2,114	3	$193,535	$ 91.55
	Total for all other than Executives		15,317	22	597,583	39.01
	Total—All stations	711	17,431	25	$791.118	$ 45.39

"Stations in the more densely populated regions employ more people per station than stations of the same class located in less densely populated regions. This was also true in 1940. For example, there were 18 clear channel unlimited time stations in the northeastern region that employed 1438 people full time, or an average of approximately 80 people per station, while in the southeastern region there were 8 clear channel unlimited time stations that employed 466 people full time, or an average of approximately 58 people per station. It is also found that there were 133 unlimited time stations in the northeastern region that employed 4,691 people full time, or an average of approximately 35 people per station, while in the southeastern region there were 162 unlimited time stations that employed 2,682 people full time, or an average of approximately 17 people per station. If considered from the pay roll angle it develops that in the northeastern region the average pay for all the full time employees of the 18 clear channel unlimited time stations was $62.40, while in the southeastern region the average pay for all the full time employees of the 8 clear channel unlimited time stations was $39.38. In the northeastern region the average pay for all the full time employees of unlimited time stations was $50.24, while in the southeastern region the average pay for all the full time employees of unlimited time stations was $37.98.

"The increase in employment, due in a certain degree to an increase in number of stations, was distributed with a fair degree of evenness throughout the several operating departments of stations at the rate of 7 to 13 percent of the 1940 figures except for the miscellaneous which showed a decrease of 8 percent. The increase in station employment for full time employees was:

	Number of Employees	Percent of Increase
Executive	229	10
Technical	243	7
Program	793	12
Commercial	174	9
General and Administrative	350	13
Miscellaneous	(27)	(8)
Total increase	1,762	10

The total number of part time employees in the industry during the week beginning October 12, 1941, was 3,978 with a payroll for the week of $122,775. The stations had 3,424 part time employees, both executive and other, with a payroll of $84,767 for the week, and the networks had 554 part time executives and other employees with a payroll of $38,008."

CIVILIAN DEFENSE RADIOS

The FCC has issued the following press release:

"The first licenses to be granted by the Federal Communications Commission under newly-established regulations for civilian defense radio systems have been issued by the Commission to the City of Akron, Ohio, and the City of Lawrence, Massachusetts. Classified as War Emergency Radio Service these stations extend the organized civilian units functioning under the Office of Civilian Defense. In event of air raids or other enemy action, which destroy other forms of communications, the emergency radio will be available to coordinate rescue and repair work.

"Under the terms of the licenses granted Akron will have a two-way low-powered radio system of sixteen receiver-transmitters. Some of these will be in fixed locations, others will be mobile and a few will be of the type known as "walkie-talkies" because the operator may use it while moving about. Lawrence, Massachusetts, has been licensed for a system of eleven two-way radios.

"Applications of many other cities are now pending at the FCC and requests from the different communities vary to fit local conditions. Fort Wayne, Ind., has plans for more than one hundred such sets, while Dayton, Ohio, indicates that forty radios will serve its needs. Some applications are being returned to municipalities because the forms fail to indicate what arrangements exist for liaison with Defense Commanders for the purpose of receiving orders of radio silence when conditions dictate. Regulations of the FCC require that the licenses be issued to the municipal governments proper rather than any of the departments.

"Formation of the War Emergency Radio Service was announced jointly by the FCC and the OCD last June 13, at which time it was explained that radio amateurs, repairmen and others having sufficient experience would be asked to volunteer and serve in the operation of the civil defense radio systems. The two-way radios operate on ultra short-waves with power sufficiently low to limit their range to approximately ten miles. Spare parts laying around radio repair shops are considered sufficient to construct these radios, engineers declare."

The service comprises two classes of radio stations, namely, Civilian Defense and State Guard stations which are intended to provide distinct and separate communication facilities on frequencies above 112,000 kilocycles, for use by Civilian Defense Corps and State Guard, or equivalent to sufficiently recognized organizations.

In the interest of security, it is deemed necessary that an official designated as a radio aide be appointed by the station licensee, which licensee must be the municipality or state government involved. This aide is to direct and supervise the operations of all Civilian Defense radio stations within his area. He must be qualified and hold a valid radio operator's license of any class except a restricted radio telephone operator's permit. This is going to create a difficult problem in some communities, and affords an opportunity for a standard broadcasting station in the community to render worthwhile assistance in this emergency radio service.

These stations will undoubtedly contribute substantially to the war effort and to the defense of the communities in which they are located. Since the entire system is to be operated on relatively high frequencies, it is not likely to disturb in any way the interests of existing broadcasters.

Sales

CLASSIFIED AD PROGRAMS

Miss Beth Kensinger of WHBF, Rock Island, Ill., has asked for details of any classified ad programs that have been or are being used by radio stations. She desires information regarding the set-up of such programs, the selling methods used, the rates and the format of the air shows.

Any station having this type of program is asked to communicate with Miss Kensinger.

TRADE DEAL

The Kermit-Raymond Corp., 745 Fifth Ave., New York City, is submitting a trade deal to stations. The deal involves a plan under which the stations accept thirteen 15-minute radio shows, "Famous Fathers," and in exchange gives to the Kermit-Raymond Corp. thirteen 1-minute spot announcements.

We have written the Corporation that the best results from radio advertising are secured when announcements and programs are bought under standard rates and under standard contracts.

PER-INQUIRY REQUEST

The Paul Grant Advertising Agency, Chicago, is seeking per-inquiry business for their client's "Home Book of Medicine."

We have invited this agency to use radio on the basis of established rates.

FINAL CENSUS FIGURES

The U. S. Bureau of the Census released the last of the state and county radio family figures today, Friday, August 28. The New York State figures appear in this REPORT.

The final figure for radio families at census date, April 1940, is 28,838,203. This is a correction of the figure released in the NAB REPORTS, July 31, 1942 (pages 467-468), which was based on complete figures for forty-three states and preliminary projection for the five states, New York, Pennsylvania, Ohio, Illinois and California.

The following tabulation of state figures is repeated here for convenience. It contains final projection as prepared by the NAB Research Department for each state and for the U. S. total.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 31. They are subject to change.

Tuesday, September 1

Further Hearing

NEW—Newark Broadcasting Corp., Newark, N. J.—C. P., **620 kc.**, 5 KW, unlimited, DA-night and day.

Thursday, September 3

KITE—First National Television, Inc., Kansas City, Mo.—Renewal of license, **1590 kc.**, 1 KW, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted modification (B5-MP-1558) of construction permit for

(Continued on page 526)

FINAL FIGURES

Radio Homes in the United States—1940

Estimated from 1940 U. S. Census of Housing Data. Number of Occupied Dwelling units and percent radio-equipped as reported by U. S. Census, and number of dwellings having radio estimated from Census data by projecting percent ownership to the number of units not answering the radio question, applied separately to Urban, Rural-Nonfarm and Rural-farm units for each county.

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
NEW ENGLAND												
Maine	218,968	86.5	189,300	88,406	93.2	82,384	90,186	84.0	75,756	40,376	77.2	31,160
New Hampshire	132,936	90.0	119,664	75,355	93.3	70,288	41,550	86.9	36,087	16,031	82.9	13,289
Vermont	92,435	88.6	81,905	32,465	95.5	31,022	35,164	87.6	30,806	24,806	80.9	20,077
Rhode Island	187,706	95.7	179,652	171,236	96.1	164,515	13,860	92.6	12,835	2,610	88.2	2,302
Massachusetts	1,120,694	96.2	1,077,642	1,002,433	96.6	968,046	94,541	93.5	88,406	23,720	89.3	21,190
Connecticut	448,682	95.7	429,260	304,364	96.4	293,316	120,205	95.3	114,605	24,113	88.5	21,339
MIDDLE ATLANTIC												
New York	3,662,113	95.5	3,498,754	3,055,529	96.7	2,953,894	423,279	92.4	391,218	183,305	83.8	153,642
New Jersey	1,100,260	95.5	1,050,612	899,637	96.2	865,508	167,675	93.2	156,229	32,948	87.6	28,875
Pennsylvania	2,515,524	92.4	2,323,980	1,711,133	95.5	1,634,454	595,341	88.7	529,953	209,050	77.3	161,573
EAST NORTH CENTRAL												
Ohio	1,897,796	91.7	1,739,399	1,291,248	95.1	1,227,295	338,164	87.8	296,949	268,384	80.2	215,155
Indiana	961,498	88.2	848,325	541,073	93.5	505,704	208,010	85.6	177,944	212,415	77.5	164,677
Illinois	2,192,724	92.3	2,023,969	1,633,017	95.3	1,555,637	310,446	86.3	267,839	249,261	80.4	200,493
Michigan	1,396,014	93.4	1,304,149	924,913	96.4	891,661	252,211	90.9	229,348	218,890	83.7	183,140
Wisconsin	827,207	91.7	758,449	463,231	96.5	446,813	161,089	88.9	143,154	202,887	83.0	168,482

Radio Homes in the United States—1940—*Continued*

	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
WEST NORTH CENTRAL	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units	Units	% Radio	Radio Units
Minnesota	728,359	91.2	664,296	383,336	95.8	367,149	135,689	87.4	118,641	209,334	85.3	178,506
Iowa	701,824	90.2	633,168	312,393	93.7	292,724	161,077	87.6	141,059	228,354	87.3	199,385
Missouri	1,068,642	79.9	853,299	573,347	90.8	520,489	204,507	76.8	156,926	290,788	60.5	175,884
North Dakota	152,043	88.4	134,437	34,069	94.6	32,245	47,024	85.7	40,295	70,950	87.2	61,897
South Dakota	165,428	84.6	139,854	43,558	92.5	40,291	49,548	81.8	40,495	72,322	81.7	59,068
Nebraska	360,744	84.7	305,681	146,259	92.7	135,628	89,390	82.9	74,068	125,095	76.7	95,985
Kansas	511,109	83.0	424,457	224,314	90.4	202,770	128,059	82.4	105,543	158,736	73.2	116,144
SOUTH ATLANTIC												
Delaware	70,541	87.0	61,380	37,070	92.3	34,215	21,830	86.5	18,890	11,641	71.1	8,275
Maryland	465,683	88.1	410,164	286,505	93.4	267,652	124,112	84.4	104,655	55,066	68.7	37,857
District of Columbia	173,445	93.7	162,446	173,445	93.7	162,446	....	....	....	....	....	....
Virginia	627,532	67.1	421,078	244,105	84.0	205,124	174,219	67.6	117,801	209,208	46.9	98,153
West Virginia	444,815	75.1	334,239	140,556	89.7	126,098	192,771	75.4	145,265	111,488	56.4	62,876
North Carolina	789,659	61.8	487,353	239,917	77.7	186,386	217,703	67.6	147,035	332,039	46.4	153,932
South Carolina	434,968	49.6	215,636	123,503	67.1	82,831	126,119	60.0	75,509	185,346	30.9	57,296
Georgia	752,241	52.5	394.755	288,818	68.2	196,864	170,595	57.6	98,273	292,828	34.0	99.618
Florida	519,887	64.8	336,803	294,410	76.1	224,020	152,395	55.1	83,994	73,082	39.4	28,789
EAST SOUTH CENTRAL												
Kentucky	698,538	65.3	456,633	238,283	84.0	200,161	179,890	65.7	118,144	280,365	49.3	138,328
Tennessee	714,894	62.5	446,943	276,056	77.7	214,362	152,197	65.1	99,046	286,641	46.6	133,535
Alabama	673,815	49.4	332.776	227,309	69.7	158,305	157,226	54.5	85,651	289,280	30.8	88,820
Mississippi	534,956	39.9	213,312	120,360	61.5	74,048	95,920	50.9	48,834	318,676	28.4	90,430
WEST SOUTH CENTRAL												
Arkansas	495.825	50.9	252,148	123,528	72.4	89,442	111,636	53.7	59,891	260,661	39.5	102,815
Louisiana	592,528	53.3	315,261	262,927	72.6	190,789	136,615	52.5	71,689	192,986	27.3	52,783
Oklahoma	610,481	68.8	420,182	254,779	83.5	212,531	139,605	64.6	90,161	216,097	54.4	117,490
Texas	1,678,396	66.9	1,122,042	802,601	78.6	630,911	359,745	65.7	236,144	516,050	49.4	251,987
MOUNTAIN												
Montana	159,963	86.2	137,900	64,148	91.3	58,536	49,737	84.4	41,998	46,078	81.1	37,366
Idaho	141,727	86.4	122,471	50,774	91.3	46,353	41,235	84.1	34.689	49,718	83.3	41,429
Wyoming	69.374	84.4	58,531	27,332	91.5	25,003	22,842	83.2	19,011	19,200	75.7	14.517
Colorado	316,000	84.5	267,295	174.759	91.5	159,932	77,956	78.1	60,877	63,285	73.5	46,486
New Mexico	129,475	53.2	69,053	46,713	72.5	33,951	43,097	47.6	20,554	39,665	36.7	14,548
Arizona	131,133	69.0	90,394	48,924	82.4	40,328	55,813	69.3	38,646	26,396	43.3	11,420
Utah	139,487	92.4	128,923	81,758	95.0	77,679	37,115	90.2	33,465	20,614	86.3	17,779
Nevada	33,291	81.4	27,119	13,284	89.2	11,859	15,795	77.4	12,227	4.212	72.0	3,033
PACIFIC												
Washington	537,337	90.6	486,684	302,208	92.7	280,136	141,673	89.2	126,339	93,456	85.8	80,209
Oregon	337,492	88.7	299.226	172,560	93.1	160,599	92,667	86.1	79,811	72,265	81.4	58,816
California	2,138,343	92.9	1,987,204	1,568,552	95.1	1,490,991	393,950	88.5	348,375	175,841	84.1	147,838
UNITED STATES	34,854,532	82.8	28,838,203	20,596.500	91.9	18,923,385	7,151,473	79.0	5,643,130	7,106,559	60.2	4,271,688

NAB Research Department

August 27, 1942

APPLICATIONS GRANTED

(Continued from page 524)

approval of present transmitter site, reduce power from 5 KW to 1 KW and make changes in directional antenna system.

KICA—Western Broadcasters, Inc. (assignor), Hugh DeWitt Landis (assignee), Clovis, N. Mex.—Granted consent to assignment of license for station KICA from Western Broadcasters, Inc., to Hugh DeWitt Landis, for a total consideration of $16,000 (B5-AL-338).

DESIGNATED FOR HEARING

WRDO—WRDO, Inc., Augusta, Maine.—Designated for hearing application for construction permit to increase power from 100 watts to 250 watts, install a new transmitter and antenna and move transmitter site locally (B1-P-3480).

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending in no event later than December 1, 1942:

WBYN and auxiliary, Brooklyn, N. Y.; WNBC and auxiliary, Hartford, Conn.

KSCJ and auxiliary.—Perkins Brothers Co. (The Sioux City Journal), Sioux City, Iowa.—Granted renewal of license for the period ending not later than October 1, 1944.

Granted further extension of license upon a temporary basis only, pending determination upon applications for renewal of licenses, not later than October 1, 1942:

W5XAU, Oklahoma City, Okla.; W9XLA, Denver, Colo.

W8XO—The Crosley Corp., near Mason, Ohio.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, to not later than October 1, 1942.

The Commission on August 24 adopted a final order (B-156) granting the application of the Federated Publications, Inc. (WELL), Battle Creek, Mich., for renewal of license (Docket No. 6199).

MISCELLANEOUS

WAKR—Summit Radio Corp., Akron, Ohio.—Granted modification of construction permit as modified, which authorized increase in power, changes in directional antenna for night use, and installation of new transmitter, for extension of completion date from September 1 to November 1, 1942 (B2-MP-1618).

WGEO—General Electric Co., Schenectady, N. Y.—Granted license to cover construction permit, which authorized installation of new transmitter for international broadcast station (B1-LIB-24).

Wilkes-Barre Broadcasting Corp.; Central Broadcasting Co.; Northeastern Pennsylvania Broadcasters, Inc.; and Key Broadcasters, Inc.—Scheduled for oral argument on September 23, 1942, in re exceptions to the Commission's Proposed Findings B-153, entered in the applications for construction permits for new broadcast stations. Dockets 6135, 6169, 6170 and 6171, respectively.

APPLICATIONS FILED AT FCC

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Construction permit to move auxiliary transmitter to location of main transmitter at Forsyth Road, Macon, Georgia, increase power of auxiliary transmitter from 1 KW to sunset KOB and 250 watts after sunset KOB to 1 KW day and night, using the directional antenna specified to be used with main transmitter day and night.

990 Kilocycles

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Modification of construction permit (B3-P-2839, as modified, which authorized directional antenna for night use, increase in power, install new equipment) for changes in directional antenna system, and extend completion date from 9-17-42 to 30 days after grant.

1010 Kilocycles

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Modification of construction permit (B3-P-3049, as modified, which authorized move of transmitter, changes in directional antenna for night use, change frequency, and increase power) for extension of completion date from 9-13-42 to 3-13-43.

1080 Kilocycles

KRLD—KRLD Radio Corp., Dallas, Tex.—License to cover construction permit (B3-P-3484), which authorized changes in directional antenna system.

KRLD—KRLD Radio Corp., Dallas, Tex.—Authority to determine operating power by direct method.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-SSA-14), which authorized installation of a 5 KW transmitter and directional antenna requesting extension of completion date from 8-9-42 to 1-13-43.

1140 Kilocycles

KGDM—E. F. Peffer, Stockton, Calif.—Modification of construction permit (B5-P-3199, as modified, which authorized change in frequency, increase in power, change hours of operation, installation of directional antenna for night use, and new transmitter) for extension of completion date from 9-20-42 to 10-20-42.

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100, as modified, which authorized installation of directional antenna for day and night use, and increase in power) for extension of completion date from 9-16-42 to 10-16-42.

1300 Kilocycles

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Modification of construction permit (B4-P-3269 as modified), which authorized installation of new transmitter, increase power, and changes in directional antenna for night use requesting extension of completion date from 8-28-42 to 10-27-42.

1450 Kilocycles

WLAN—Thomas J. Watson, Endicott, N. Y.—Modification of construction permit (B1-P-1679), which authorized construction of new station requesting approval of antenna, approval of transmitter site, change type of transmitter, approval of amplifier and location. Amended: re change in transmitter site, type of transmitter and to omit request for synchronous amplifier.

WLAY—Muscle Shoals Broadcasting Corp., Muscle Shoals City, Ala.—Construction permit to install a new transmitter.

WLAY—Muscle Shoals Broadcasting Corp., Muscle Shoals City, Ala.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Modification of license to change corporate name from Walker and Downing Radio Corp. to WWSW, Inc.

FM APPLICATION

W59NY—Interstate Broadcasting Co., Inc., New York, N. Y.—License to cover construction permit (B1-PH-109 as modified), which authorized construction of new high frequency broadcast station, in part, in accordance with Commission action of 8-4-42.

W67NY—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PH-55 as modified), which authorized new high frequency broadcast station, in part, in accordance with Commission action of 8-4-42.

TELEVISION APPLICATION

WBKB—Balaban and Katz Corp., Chicago, Ill.—Modification of construction permit (B4-PCT-14), which authorized construction of new television broadcast station requesting change in ESR from 800 to 860, changes in antenna systems, change in aural transmitting equipment and extension of completion date from 8-15-42 to 12-15-42.

MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations in Canada licensed to operate by the Canadian Government, which may be heard consistently in the United States for the period beginning 9-15-42.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CFCF and CBL and the Canadian Broadcasting Corporation for the period beginning 9-15-42.

W4XGG—Gordon Gray, Winston-Salem, N. Car.—Modification of construction permit (B3-PST-6), which authorized construction of new ST broadcast station requesting extension of completion date from 9-6-42 to 11-5-42.

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—License to cover construction permit (B5-PIB-34, as modified, which authorized new international broadcast station). Amended: to add frequency **7230 kc.,** operating unlimited on this frequency, accordance B5-MPIB-36.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Ed. W. Arnold Company, a common law trust doing business under the trade names of Edward W. Arnold Company, and Edw. W. Arnold Company, and Ed. W. Arnold, individually, Logansport, Ind., engaged in the manufacture and sale of bath cabinets designated "Arnold's Electro-Vaporized Mineral Bath and New Deluxe Multi-Treatment Cabinets," and a mechanical device designated "Tu-Way Massager," is charged in a complaint with misrepresentation. (4818)

Paul Case, Brockton, Mass., engaged in the sale of medicinal preparations designated "Case Combination New Improved Method," "The New Improved Case Combination Method," and "Case Combination Formulae," is charged in a complaint with false advertising and misrepresentation. (4813)

Thomas E. Collins Co., 5036 Geary Blvd., San Francisco, engaged in the sale and distribution of a medicinal preparation designated "Alimentone," is charged in a complaint with misrepresentation. (4816)

Duo-Tint Bulb & Battery Co., Inc., and Carrie Riggs, Helen Corts and Dalton W. Riggs, as officials of the corporation, 4431 North Racine Ave., Chicago, engaged in the sale and distribution of small incandescent electric light bulbs and batteries, are charged in a complaint with misrepresentation. (4814)

Lekas and Drivas, Inc., 19 Roosevelt St., New York, importers and distributors of olive oil, are charged in complaint with misrepresentation in the sale of "L. & D. Olive Oil" and "Aristocratic Imported Virgin Olive Oil." (4815)

Nu-Tred Tire Agency, et al.—Alleging unfair and deceptive acts and practices in commerce, a complaint charges a Chicago tire recapping corporation and its officials with acquiring old casings from dealers in junk and old tires, recapping them inexpertly and carelessly, and selling the inferior and unfit product as "guaranteed" high quality recaps and casings.

The respondents named in the complaint are American Industrial Rubber Co., doing business as Nu-Tred Tire Agency, Champion Rubber Co., L. & S. Tire Distributors, and Harvester Tire Sales, 4405 South LaSalle St., Chicago, and Harold Trilling, Manny G. Tenenbaum, Olin K. Lewis, and E. F. Smith. The respondent Trilling is named as the principal stockholder and general manager of the corporation, Tenenbaum as being in charge of its purchases of old automobile tires for recapping, and Lewis and Smith as "master salesmen" or regional sales managers receiving additional over-riding commissions on sales made by other salesmen. (4819)

Pow-A-Tan Medicine Co., Huntington, W. Va., engaged in selling a medicinal preparation designated "Powatan Herb Tonic," is charged with misrepresentation in a complaint. (4817)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Cutter Laboratories, Berkeley, Calif., with depots and branch offices at Los Angeles, Chicago, San Antonio, Seattle, Denver, Fort Worth, El Paso, Boise, and New Orleans, engaged in manufacturing, compounding and selling, among other products, a vaccine preparation designated "Blacklegol," recommended as a means of rendering cattle immune to an ailment known as blackleg, has been ordered to cease and desist from certain misrepresentations concerning its product and competing preparations. (4348)

J. Freidson Shoe Co., 200 Essex St., Boston, engaged in the sale and distribution at wholesale of shoes, particularly children's shoes, has been ordered to cease and desist from misrepresentation concerning its products. (4632)

Manhattan Brewing Company—An order directing the Manhattan Brewing Company, Chicago, to cease and desist from certain representations with regard to its products, has been set aside by the Commission, with leave granted to the respondent to file a new answer to the complaint within 20 days. The ruling of the Commission was made upon the petition of the respondent which alleged misunderstanding of the circumstances under which its answer to the complaint was filed. The case was set for further hearings in accordance with the Commission's regular procedure. (4572)

N-A Company, Laurel, Miss., engaged in the sale of a medicinal preparation variously designated as "N-A No. 7," "Vicine," "Nature's Aid," and "N-A," has been ordered to cease and desist from misrepresentation of his product. (4662)

John Romano, operator of a curio shop at 1004 Main St., Daytona Beach, Fla., has been ordered to cease and desist from misrepresentation in the sale of a coin catalog. The complaint in the case was issued against Romano and National Coin Corporation, of which Romano was president and principal owner before it was dissolved. The Commission closed the case as to the corporate respondent. (3862)

Style & Merit Buying Service, 225 West 34th St., New York, have been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act. (4249)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 35, September 4, 1942

LOCALLY ORIGINATED WAR EFFORT BROADCASTS

MAY—JUNE—JULY, 1942

1,541,640 Announcements . . . 186,075 Programs

The broadcast stations of the country have done a Herculanean job in aiding the War Effort.

The mere tabulation of the spots and programs devoted to various departments and agencies in the government is the least important part of station contribution. The real McCoy is the end results which have been accomplished.

This is a record which stands out like Pikes Peak, "head and shoulders above the crowd."

For those who like red rot statistics the following table is recommended. Only announcements and programs of local origination are included.

	Spots	3-Min. Live	5-Min. Live	10-Min. Live	15-Min. Live	20-Min. Live	25-Min. Live	30-Min. Live	35-Min. Live	45-Min. Live	55-Min. Live
Army	122,120	50	970	210	3,690	....	80	830	....	10	10
Navy	137,200	....	2,610	200	4,240	....	....	610	....	10	....
Marines	90,320	....	860	30	4,840	30	....	350	....	....	....
Coast Guard	68,270	....	......	......	160	....	....	......	....	....	....
Civil Service	67,900	....	....	......	30	....	....	......	....	....	....
Recr. Shipyard Workers (July)	3,280	....	....	......	....	....	....	......	....	....	....
Health in Wartime & Recr. Nurses & Docs.	43,570	....	50	630	1,001	....	20	20	....	....	....
War Industry Train. Info	27,250	....	190	10	340	....	....	10	....	....	....
Treasury	510,090	20	1,030	10	1,760	....	10	600	....	20	....
Army Emergency Relief	16,220	....	70	30	160	....	....	30	....	....	....
U S O	73,340	....	680	90	1,250	....	10	500	....	....	....
Red Cross	58,100	50	150	160	880	....	....	60	....	....	....
Civil. Defense (all kinds)	53,980	40	3,750	1,210	4,140	....	10	160	....	20	....
Don't Spread Rumors	5,650	....	....	10	270	....	....	10	....	....	....
Victory Gardens	7,620	....	400	260	310	....	....	......	....	....	....
The Home Front—Live Local	....	....	120	......	810	....	....	1,170	....	....	....
OWI—OEM—OPA—Some AGRI	191,520		Total Pgms. Various Lengths—20,490								
Other Gov. Agencies	65,210 (Live & Et)	240	1,830	350	11,260	....	220	2,740	10	110	10
TOTALS	1,541,640	400	12,710	3,200	35,141	30	350	7,090	10	170	20

	60-Min. Live	80-Min. Live	85-Min. Live	90-Min. Live	130-Min. Live	3-Min. ET	5-Min. ET	10-Min. ET	15-Min. ET	30-Min. ET	45-Min. ET	60-Min. ET
Army	220	...	...	20	...	...	20	...	9,494	10	....	....
Navy	....	...	10	...	...	...	60	...	5,740	820	....	....
Marines	....	...	...	...	...	...	...	...	5,050	80	....	....
Recr. Shipyard Workers (July)	....	...	...	...	...	...	...	...	20	......	....	....
Health in Wartime & Recr. Nurses & Docs.	....	...	...	...	...	...	...	...	20	......	....	....
War Industry Train. Info	....	...	...	...	...	...	300	...	....	......	....	....
Treasury	280	...	...	10	...	...	...	...	62,440	20	....	....
U S O	10	...	...	...	10	...	...	...	....	......	....	....
Red Cross	....	...	...	...	...	...	...	...	10	10	....	....
Civil. Defense (all kinds)	10	...	...	...	...	...	...	10	90	......	....	....
You Can't Do Business with Hitler	....	...	...	...	...	...	...	...	10,140	......	....	....
Neighborhood Call	....	...	...	...	...	...	...	...	1,310	......	....	....
This Is Our Enemy	....	...	...	...	...	...	...	...	....	500	....	....
Three Thirds of The Nation	....	...	...	...	...	...	...	...	....	130	....	....
OWI—OEM—OPA—Some AGRI	....	...	...	...	...	...	...	...	4,370	......	....	....
Other Govt. Agencies	90	10	...	...	...	30	400	10	4,020	630	30	30
TOTALS	610	10	10	30	10	30	780	20	102,704	2,200	30	30

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

SELECTIVE SERVICE REVISED

Stressing the desirability of maintaining as much uniformity in inducting types of registrants as is possible under the autonomous provisions of the Selective Training and Service Act, Maj. Gen. Lewis B. Hershey, Director of Selective Service, has instructed all State Directors to apportion calls for inductees from their States among their local boards so that, in so far as is feasible, no board will be calling one type of registrant with dependents substantially in advance of the other boards.

State Directors should continue to place calls on their local boards, General Hershey stated, so as to place the heaviest load right now, on boards having the most single men, or men with collateral dependents only.

General Hershey's memorandum to State Directors, also directs all local boards to complete on or before October 16, 1942, the initial classification of all registrants liable for military service. This schedule must be met, the memorandum emphasizes, because the serious military situation requires that the Selective Service System prepare to fill calls during the coming year "which will be equal to or in excess of the monthly calls made in August, September and October of this year."

The procedure outlined by his memorandum, General Hershey said, will tend to level off inductions with the ultimate objective of calling men from the small town and from the city on an approximately uniform basis. He estimated that this leveling off process might require several months to accomplish because of the time required to process registrants and accord them full rights of appeal.

"Obviously," General Hershey told the State Directors, "the distribution of registrants by types among local boards is not uniform; and for that reason efforts to speed classification should be particularly concentrated and calls should be levied upon those boards within your State from which single men without dependents can be made available for induction. Calls should then be levied upon boards with substantial numbers of registrants having collateral dependents until a reasonable uniformity among local boards in your State has been accomplished."

Pointing out that they now may give immediate consideration to allowances payable under the Servicemen's Dependents Allowance Act of 1942, General Hershey also directs local boards to proceed at once with the reconsideration of the classification of Class III-A and Class III-B registrants who have collateral dependents. Class III-B registrants, in addition to having dependents, must be engaged in work essential to the war effort. Registrants with collateral dependents only are to be inducted ahead of men who maintain bona fide family homes.

Collateral dependents, as they are defined in a previous memorandum are: Wives or children (with whom the registrant does not maintain a bona fide family relationship in his home); parents, brothers, sisters, grandparents, grandchildren, divorced wives, persons under 18 years of age whose support has been assumed in good faith, or persons of any age physically or mentally handicapped whose support has been assumed in good faith.

As soon as local boards have reconsidered the classification of all registrants having collateral dependents, and have notified the State Director of that fact, the current memorandum instructs that they then should reopen and reconsider the classification of all registrants who have wives (but no children) with whom they maintain a bona fide family relationship in their homes. It is stressed, however, that the marriage must have taken place before December 8, 1941, *or at a time when selection was not imminent.*

Registrants having wives and children, or children with whom they maintain a bona fide home, and who were married before December 8, 1941, and at a time when selection was not imminent, shall not be placed in Class I-A (available for induction) until such action is authorized by the National Headquarters, General Hershey emphasized.

Heretofore local boards, which are composed of uncompensated citizens volunteering their services, have classified registrants in accordance with Army induction calls, General Hershey said. Now, he declared, mounting needs for military manpower make it desirable to complete all classifications as soon as possible so that Army requisitions for men, no matter how large, may be met promptly.

A factor preventing quick change in the order of induction with relation to dependency, General Hershey asserted, is that the Army must make provision from 2 to 3 months in advance for the reception of inductees. Army Induction Stations and Reception Centers must be equipped and staffed considerably in advance of the arrival of recruits, he pointed out.

"Since calls for inductees are sent to the States from National Headquarters 60 days in advance," General Hershey said, "at least that period of time is required to conform to any change in policy or to carry out any revision of the order in which men may be inducted."

Citing that Selective Service Regulations, in accordance with the intent of Congress in the passage of the Servicemen's Dependents Allowance Act of 1942, recognize certain groups of dependency. General Hershey said:

"Our policy is to follow the order of dependency deferment set up in those Regulations to the fullest extent consistent with the local board's ability to furnish the number of men required by the military forces each month. It is our further policy to follow the order of deferments on a nation-wide basis as far as possible."

As present needs for certain occupational deferments expire, General Hershey also said, single men and others not conforming to the type currently being inducted will be called.

"And the same situation," he added, "will apply to men reaching the age of 20 and thereby becoming eligible for selection."

The classification drive now under way for completion by October 16 is the first effort ever made to enumerate our Nation's total manpower of military age, General Hershey stated. He said:

"We have reached a point where such a nation-wide survey is possible and also imperative.

"Registration of all men between the ages of 18 and 65 has been accomplished by the five nation-wide registrations held since the Selective Training and Service Act became law on September 16, 1940. The Fourth Registration, of course, listed men from the ages of 46 to 65 who, under present law, are not subject to military service. In the Fifth Registration, on June 30, 1942, that of men 18 to 20 years old, inclusive, only those who have actually reached their 20th birthday anniversary are subject to call until such time as Congress may modify the law."

Through frequent reports on available manpower of the various groups, National Selective Service Headquarters maintains up-to-date information on the status of all types of registrants—single men with dependents deferred for occupational reasons, various dependency classifications, etc., General Hershey declared. Future calls will be adjusted as frequently as necessary, he said, to draw from the same pools of men in all States on as nearly a uniform basis as possible.

WILL YOU WRITE A LETTER FOR ARMY AIR FORCES?

Air Forces Need Tens of Thousands More Radio Technicians

Printed below is a statement by Army Forces

"One of the most critical needs in the Army Air Forces today is for tens of thousands additional radio technicians.

"In order to obtain more men, the Air Forces Technical Schools have been greatly expanded. However, this will only partially meet the requirements. It is therefore necessary to utilize to the maximum degree the facilities available through the ESMWT-NAB course in Fundamentals of Radio, so that many of those entering the Air Forces in months to come will have pre-induction training. This will shorten the amount of time necessary to devote to training after entering service.

"In order to meet Army Air Forces requirements for communications personnel, it will be necessary to train thousands of additional men in the Fundamentals of Radio. These technicians are needed for flying and ground duty in radio operating, maintenance and inspection duties. Successful operation of Air Forces units depends to a high degree upon communications. Prospective requirements for communications personnel far exceed the estimate of a few months ago.

"It is requested that broadcasters assist in every way possible in stimulating interest in ESMWT courses and in organizing classes in cooperation with state educational institutions.

Announce Air Forces Enlisted Reserves

"Effective immediately, it is possible to have qualified individuals enrolled in the Engineering, Science, Management, War, Training courses in Fundamentals of Radio, to enlist in the Enlisted Reserves of the Army Air Forces and be assigned to Communications Activities. Broadcasters are requested to call this to the attention of those individuals who are responsible for conducting ESMWT courses in their respective areas. Not only will broadcasters thus contribute substantially to the War Effort but they will assist materially in alleviating the ever increasing shortage of technicians in the broadcasting industry.

"Those desiring to enter the Enlisted Reserves may do so by contacting their local recruiting officer or their local ESMWT institution or by writing to the Director of Communications, Headquarters, Army Air Forces, Washington, D. C.

Other Needs

"There are other needs for people with this same type of training in addition to the requirements of the armed forces.

Direct Enlistment

"In addition, attention is called to the fact that a direct recruiting campaign, designed to obtain communications specialists for the Army Air Forces, is now in progress. Those individuals having experience in communications may enlist directly in the Army Air Forces for assignment to communications."

What Gen. Somervell Says

And if anybody still is reluctant to believe the immensity of the shortage, read this statement by Lt. Gen. Brehon B. Somervell, commanding the Army's Service of Supply:

"Gen. Somervell said that on January 1 the Army needed 15 men of every 1,000 received who had some kind of training as radio operators.

"Yet from February 1 to March 31, we were getting less than one man per 1,000. We were short then almost 15 men per 1,000 inducted. Think of that. Actually, out of every 15,000 inducted we needed 4,689 with training as radio operators. We were getting 135. We were short 4,544."

The above paragraphs were contained in Gen. Somervell's talk, August 28, to a meeting of educators in Washington.

He also told the educators:

"We can lose this total war on the battle front as a direct result of losing it on the industrial front, on the home front or on the educational front."

Industry Has Never Failed— Let's Not Now!

The Army Air Forces request our help.

It's a simple thing, they ask, namely for every station head to write:

to every engineering school in your state
to every college with a physics department

setting forth the following points:

(a) That tens of thousands of additional radio technicians are needed.
(b) That the ESMWT-NAB course in Fundamentals of Radio exactly fills the bill for the Army Air Forces Enlisted Reserves just as it does for the Signal Corps Enlisted Reserves. [The fact that there are Enlisted Reserves of the Army Air Forces will be new to them, because, at the moment, it is known only to a handful of people here.]
(c) That facilities of the Air Forces Technical Schools have insufficient capacity to turn out the required technicians.
(d) That the situation demands expansion of the ESMWT-NAB Fundamentals of Radio course to the maximum. Right now. Not next month, not next semester.
(e) That they would not over produce if men counted in six figures were under simultaneous instruction.

IF YOU DO THIS

(1) We'll be making sure that these vital facts have been called directly and personally to the attention of educators, all educators. Then and only then will we have honored the request of the Army Air Forces for help in spreading the word to all educators. Don't worry about duplicate letters. The more the merrier.

The industry has never fallen down yet on a request for help from the U. S. A. and this is no time to begin.

ADDRESS YOUR LETTERS TO

The President of all schools. Copies to the following, if an engineering school:

(a) Head of the Department of Electrical Engineering.
(b) The ESMWT Institutional Representative.

SEND A COPY TO

(a) Director of Communications
Headquarters, Army Air Forces
Washington, D. C.
(b) Secretary
NAB War Committee
1626 K Street, N. W.
Washington, D. C.

There Is Nothing Else to Do At This Moment

Nothing else to do for the Army Air Forces at this moment but spread the word abroad among all of the educational institutions of America. Should you be asked by the President of a Liberal Arts College anything about the technique of participating in the teaching job, refer him to the ESMWT Institutional Representative of the nearest Engineering school. The way this thing is set up, Liberal Arts schools must clear through engineering schools. The needs are so urgent and imperative that every effort must be made to break the teaching bottle neck.

Don't Delay. Do It Today!

Engineering

BROADCAST PROGRAM FAILURE ALARM

Described in the August issue of Communications is an automatic monitoring device which provides a visual and oral alarm when the carrier, studio-transmitter program line or program fails. The article is by Elwin J. O'Brien, Assistant Professor of Electrical Engineering, University of North Dakota.

It is believed the installation of this automatic alarm may be found particularly helpful at stations employing inexperienced operators and announcers. Use of the device should also improve operation, when due to present day emergency conditions, operators and announcers are assigned dual duties.

The device is installed at the transmitter, with alarm indicating positions available at the transmitter, studio control room, supervisor's office or other advantageous points. No additional wire circuits are necessary between studio and transmitter.

The operation of the alarm is instantaneous upon failure of the carrier or studio-transmitter program circuit. The program failure alarm has an adjustable time delay, which can be set for delays of 20, 46 and 76 seconds before operation of the alarm. Normal periods of dead-air will not operate the alarm.

The device can be assembled and installed by a capable technician working from the description in COMMUNICATIONS. The cost of parts should not exceed $75.00 and many stations will find much of the required materials in the discarded and spare parts stock.

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NEW PRODUCTION CONTROL PLAN

WPB has announced that an experimental plan for budgeting the use of materials for prime war contractors, Contract Production Control, is being tried out in connection with three Navy contracts for radios. It is said that if the plan is successful it may be given a place in the WPB's general program for controlling the flow of materials.

Principal feature of Contract Production Control is the setting up of a complete budget of materials and parts required to fulfill a prime war contract.

The prime contractor obtains from all of his sub-contractors on a specified form (CPC-2) information which will show both materials requirements and a proposed shipping schedule for the parts which the sub-contractor will supply.

These reports will be assembled by the prime contractor on Form CPC-1, together with a statement of his own materials requirements and a production schedule of parts he will make himself, and submitted to the contracting agency. Preference ratings will be assigned to the approved deliveries of materials and parts and applied in the usual manner. It will be the intention to assign ratings high enough so that the schedules can be exactly met, with the result that deliveries should be neither earlier nor later than necessary to fulfill the contract delivery dates.

In order to avoid duplicating authorizations to purchase materials under the Production Requirements Plan, firms operating under both plans are required to deduct materials authorized under Contract Production Control from those authorized on fourth quarter PD-25A and PD-25F forms.

PRICE CEILINGS ON RADIO PARTS

An amendment to make clear that maximum prices for all radio apparatus and parts covered by Maximum Price Regulation No. 136 are those charged by sellers on March 31, has been issued by OPA.

Maximum Price Regulation No. 136, as amended (Machines and Parts and Machinery Services), has two pricing dates for machines and parts. For some items, maximum prices are those charged October 1, 1941, for others March 31, 1942.

It was the intent of OPA that all radio apparatus and parts use the March 31, pricing date, and to formalize this intent, Amendment No. 12 to Maximum Price Regulation No. 136 has been issued.

The amendment becomes effective Sepetmber 8.

Programs for Victory

The following news item from the N. Y. *Times* is significant:

Radio Gets $10,666,000 In War Bond Pledges

Special to *The New York Times*

WASHINGTON, Aug. 30—A total of $10,666,000 was pledged for war bonds in the radio drive staged by the Blue network and the Treasury in a seven-hour coast-to-coast broadcast over the week-end, the Treasury said tonight.

The Treasury said that the final total of pledges would be much higher since the amount announced represented only pledges received during the broadcast period.

PROMOTE "WHAT CAN I DO"

This week saw the delivery to all broadcast stations of suggested promotion back of the distribution of the forty-eight page and cover pamphlet, "What Can I Do." The title was suggested by the tone of several hundred thousand letters which were received by the Office of Civilian Defense, the President and others.

Getting these books into the hands of citizens is regarded by the government as one of the highly important tasks which radio can perform.

Stations are urged by NAB to get behind the plan in an effort to effect the entire distribution of the first printing as soon as possible. There is no doubt in our minds that several times five million copies can be distributed by an aggressive and concerted drive. This is based on the fact that every family has consciously or unconsciously asked the question, "What can I do?"

Stations can supply the answers by putting this booklet in every household in the United States.

No distribution cost should be assumed by stations. It should be paid for by local Office of Civilian Defense.

WSB TRIBUTE TO RADIO

A recent WSB three column institutional advertisement in the *Atlantic Journal*, headed "The Greater Obligation," has two paragraphs which point to the heights which broadcasting has attained. Here they are:

"Service to the nation is the privilege of every man, woman, and child. And in times like these, the privilege of service is sacred.

"Radio broadcasting has attained high stature in recent months—has become a dependence for the rapid and effective dissemination of information essential to the war effort."

WDRC DOOLITTLE VISITS NAB

Franklin M. Doolittle, president, WDRC, Hartford, visited NAB headquarters yesterday in behalf of the radio technician training program. Mr. Doolittle is industry representative for Connecticut.

DR. HOLLAND AT NAB

Dr. E. O. Holland, president, State College of Washington, Pullman, visited NAB headquarters this week. State College operates station KWSC.

ART HOLBROOK TO COAST GUARD

Art Holbrook, WIBW, Topeka, is due to report to the Coast Guard today. Good luck, Art.

AMERICAN EDUCATION WEEK 1942

EDUCATION FOR FREE MEN is the theme of the 22nd annual observance of American Education Week, Nov. 8-14. This theme is most fitting at a time when the entire world is at war to determine whether freedom or tyranny shall prevail among men.

American Education Week is a time for a concerted effort on the part of all school systems thruout the nation to help the public understand why education is more and not less important as a result of the urgency of the war effort. It is a time for interpreting to the people what the schools are contributing to the war effort and the part that they must play in the peace that is to follow after military victory is achieved.

The National Education Association has prepared materials to assist local school systems in the observance, among which are posters, leaflets, stickers, manuals, plays, and other materials. Write to the National Education Association, 1201 Sixteenth Street, N. W., Washington, D. C., for complete information.

IN MEMORIAM

Edward T. Hanover, General Manager of WHAM, Rochester, died while visiting at Alexandria Bay, New York, on Saturday, August 29. Mr. Hanover was 59 years old. He has been associated with Stromberg-Carlson for 41 years having come to that company at the age of 18 and been with them continuously since.

At the time of his death he was Vice President In Charge of Manufacturing and Broadcasting and a Director of the Company.

He was instrumental in fostering radio manufacturing and broadcasting by Stromberg-Carlson and played a large part in formulating the early policies of the industry in his capacity as a consultant with the original Radio Commission. He was born in Wisconsin and a graduate of the University of Wisconsin. Surviving are his widow and a mother and brother.

PER-INQUIRY REQUESTS

The France and Duff Advertising Agency, Lincoln, Neb., is seeking P-I deal for a hatchery client.

The Gibson Co., Harlan, Ia., "national distributor of many fast selling items," is soliciting P-I deals.

All stations are asked to continue reporting these P-I and free time "chisels."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 7. They are subject to change.

Tuesday, September 8

Further Hearing

NEW—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Texas.—C. P., **1230 kc.**, 250 watts, unlimited.

Wednesday, September 9

Further Hearing

NEW—Butler Broadcasting Corp., Hamilton, Ohio.—C. P. **1420 kc.**, 250 watts, unlimited.

Friday, September 11

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—C. P., **1490 kc.**, 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Granted modification of construction permit (B3-MP-1627) for changes in directional antenna; on the Commission's own motion granted 30 day extension from September 17 for completion of construction.

WWRL—Long Island Broadcasting Corp., Woodside, Long Island, N. Y.—Granted in part modification of license to change hours of operation from sharing WLIB, to unlimited time, on present power of 250 watts (B1-ML-1101). Dismissed application for modification of construction permit (B1-P-3116) as modified, to extend completion date (B1-MP-1545).

DESIGNATED FOR HEARING

National Broadcasting Co., Inc., Portable or Portable-Mobile, area of San Francisco, Calif.—Designated for hearing application for construction permit for new relay broadcast station (B5-PRY-281).

National Broadcasting Co., Inc., Portable or Portable-Mobile, area of San Francisco, Calif.—Designated for hearing application for construction permit for new relay broadcast station (B5-PRE-429).

National Broadcasting Co., Inc., area of San Francisco, Calif.—Designated for hearing application for construction permit for new relay broadcast station (B5-PRY-284).

Blue Network Co., Inc., Portable-Mobile, area of San Francisco, Calif.—Designated for hearing application for construction permit for new relay broadcast station (B5-PRE-432).

W71RF—Rockford Broadcasters, Inc., Rockford, Ill.—Designated for hearing application for modification of construction permit (B4-MPH-24), pursuant to the Commission's Memorandum Opinion of April 27, 1942.

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending in no event later than December 1, 1942:

KCRC, Enid, Okla.; WSPD, Toledo, Ohio.

Granted renewal of following station licenses for the period ending in no event later than February 1, 1943:

KAST, Astoria, Ore.; KGHI, Little Rock, Ark.; WMPC, Lapeer, Mich.; WTHT, Hartford, Conn.

Granted renewal of following station license for the period ending in no event later than April 1, 1943:

KWAT, Watertown, S. D.

Granted renewal of following station licenses for the period ending in no event later than June 1, 1943:

WBRK, Pittsfield, Mass.; WBRE, Wilkes-Barre, Pa.; WLAK, Lakeland, Fla.

Granted renewal of following station licenses for the period ending in no event later than October 1, 1944:

WADC, Village of Tallmadge, Ohio; WATR, Waterbury, Conn.; WGBF, Evansville, Ind.; WHIO, Dayton, Ohio; WORK, York, Pa.

Granted extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than November 1, 1942:

KAVE, Carlsbad, N. Mex.; KFXD, Nampa, Idaho; KGEK, Sterling, Colo.; KPDN, Pampa, Tex.; KVNU, Logan, Utah; KVOA, Tucson, Ariz.; KWOC, Poplar Bluff, Mo.; WAML, Laurel, Miss.; WBIR, Knoxville, Tenn.; WCAT, Rapid City, S. Dak.; WCLS, Joliet, Ill.; WGAU, Athens, Ga.; WFTM, Fort Myers, Fla.; WHBY, Appleton, Wisc.; WHOP, near Hopkinsville, Ky.; WINN, Louisville, Ky.; WINX and amplifier, Washington, D. C.; WJW, Akron, Ohio; WKST, New Castle, Pa.; WLOF, Orlando, Fla.; WNEL, San Juan, Puerto Rico; WOLS, Florence, S. C.; WOMT, Manitowoc, Wisc.; WPAX, Thomasville, Ga.; WPID, Petersburg, Va.

MISCELLANEOUS

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Granted modification (B4-MP-1624) of construction permit (B4-P-3178) for extension of completion date to November 16, 1942.

KGLO—Mason City Globe-Gazette Co., Mason City, Iowa.—Granted modification (B4-MP-1626) of construction permit (B4-P-3269) for extension of completion date to October 27, 1942.

WNAX—WNAX Broadcasting Co., Yankton, So. Dak.—Granted modification (B4-MP-1568) of construction permit (B4-P-3288) for extension of completion date to December 7, 1942.

WNBP—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Granted license (B1-L-1702) to cover construction permit (B1-P-3185) as modified, authorizing change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter, and change of studio from Arlington Hotel, 136 Chenango St. to 134 Chenango St., Binghamton; also granted authority to determine operating power by direct measurement (B1-Z-1431).

KPRC—Houston Printing Corp., Houston, Texas.—Granted license (B2-L-1512) to cover construction permit (B3-P-3791) as modified, for installation of directional antenna for night use, increase in power, and authority to determine operating power by direct measurement of antenna input (B3-Z-1239).

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted modification (B2-MP-1621) of construction permit (B2-P-2874) for extension of completion date to 9-23-42.

WENK—WLEU Broadcasting Corp., area of Erie, Pa.—Cancelled relay broadcast station license authorization in accordance with licensee's letter of August 19.

WHEC, Inc., Rochester, N. Y.—Granted motion to dismiss without prejudice application for new relay broadcast station (B1-PRE-427).

WKBH—WKBH, Inc., La Crosse, Wisc.—Granted petition to dismiss without prejudice application (B4-MP-1502) for modification of license to extend completion date.

WOKO, Inc., Albany, N. Y.—Granted petition to dismiss without prejudice application (B1-PH-80) for new FM station.

KSOO—Sioux Falls Broadcast Association, Inc., Sioux Falls, So. Dak.—Granted petition to dismiss without prejudice application (B4-P-2667) for construction permit.

WBOC—The Peninsula Broadcasting Co., Salisbury, Md.—Granted motion to dismiss application (B1-P-3352) for construction permit.

WDAE—Tampa Times Company, Tampa, Fla.—Granted motion for 30-day continuance of hearing now scheduled for October 5; hearing to be held November 4.

Fort Hamilton Broadcasting Co., Hamilton, Ohio.—Denied petition for intervention in hearing on application for construction permit for new station filed by Butler Broadcasting Corp., Hamilton, Ohio.

Raymond C. Hammett, Talladega, Ala.—Granted petition for leave to amend application for new station to specify a used transmitter and related equipment; denied as to removal from hearing docket.

J. C. Kaynor, Ellensburg, Wash.—Granted petition for order to take depositions in re application for new station.

WLW—The Crosley Corp., Cincinnati, Ohio.—Granted petition for extension of time within which to file proposed amendment in re application in Docket 6341, and time for filing same extended to September 2, 1942.

KTRH Broadcasting Co., Houston, Texas.—Granted motion to dismiss without prejudice application (B3-PRE-426) for new relay station.

Houston Printing Corp., Houston, Texas.—Granted motion to dismiss without prejudice application (B3-PRY-274) for new relay station.

WSAV—WSAV, Inc., Savannah, Ga.—Withdrew motion to dismiss application (B3-P-3453) without prejudice.

W. A. Patterson, Chattanooga, Tenn.—Granted motion to dismiss without prejudice application (B3-PRY-278) for new relay station.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted motion to dismiss without prejudice application (B3-P-3382) for construction permit.

KTRH Broadcasting Co., Houston, Texas.—Granted motion to dismiss without prejudice application (B3-PRY-276) for new relay station.

KVOE—The Voice of The Orange Empire, Ltd., Santa Ana, Calif.—Denied petition to grant application for a construction permit to change frequency from **1490 to 1480 kc.,** increase power from 250 watts to 1000 watts, and install new transmitter; and designated said application for hearing (B5-P-3482).

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted motion to dismiss without prejudice application (B5-P-3477) for construction permit; denied request for return of application to petitioner.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Passed over for a week motion for 30-day continuance of hearing now set for September 28 on application for construction permit.

W55NY—William G. H. Finch, New York City.—Granted petition for acceptance of appearance filed August 24, 1942, in re application for modification of construction permit (B1-MPH-104).

WABC—Columbia Broadcasting System, Inc., New York City.—Dismissed without prejudice conditional petition to intervene in the hearing on application of KDYL (B5-P-3303) for construction permit; exceptions noted.

KXKY—First National Television, Inc., Kansas City, Mo.—Granted in part petition to continue hearing now set for September 3 to September 16 only, instead of for 90 days, in re application for renewal of license.

Beauford Jester, individually and as Trustee for W. W. Callan, et al., Waco, Texas.—Granted request for continuance of hearing now set for September 8 to September 21, in re application for construction permit (Docket 6218).

APPLICATIONS FILED AT FCC

710 Kilocycles

KMPC—KMPC, The Station of The Stars, Inc., Beverly Hills, Calif.—Modification of construction permit (B5-P-2804 as modified), which authorized increase in power, installation of new transmitter, directional antenna and move of transmitter for adjustment of directional antenna system and extension of completion date.

KMPC—KMPC, The Station of The Stars, Inc., Beverly Hills, Calif.—License to cover construction permit (B5-P-2804 as modified) in accordance with above.

KMPC—KMPC, The Station of The Stars, Inc., Beverly Hills, Calif.—Authority to determine operating power by direct method.

740 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—Modification of construction permit (B3-P-3011 as modified), which authorized change in frequency, increase in power, installation of directional antenna for day and night use, new transmitter and move of transmitter requesting extension of completion date from 9-10-42 to 3-10-43.

1240 Kilocycles

WJRM—Allegheny Broadcasting Corp., Elkins, W. Va.—Modification of construction permit (B2-P-3328) which authorized construction of new standard broadcast station for approval of transmitter and studio sites and antenna. Amended: to change transmitter site to east of U. S. Route 219 and Western Maryland railroad and near Northern Corporate limits of Elkins, W. Va., and changes in antenna system.

1290 Kilocycles

WNBF—Wylie B. Jones, Advertising Agency, Binghamton, New York.—License to cover construction permit (B1-P-3185 as modified) for changes in frequency, increase in power, installation of new transmitter, directional antenna for night use, and move transmitter and studio.

WNBF—Wylie B. Jones, Advertising Agency, Binghamton, New York.—Authority to determine operating power by direct method.

1320 Kilocycles

KXYZ—Harris County Broadcast Co., Houston, Texas.—Modification of construction permit (B3-P-3016 as modified), which authorized change in frequency, increase in power, move of transmitter, installation of new transmitter and directional antenna for night use for extension of completion date from 9-9-42 to 1-20-43.

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Modification of construction permit (B2-P-2947 as modified), which authorized increase in power and installation of directional antenna for night use, requesting extension of completion date from 9-27-42 to 11-27-42.

1400 Kilocycles

KFVS—Oscar C. Hirsch, trading as Oscar C. Hirsch Battery and Radio Co., Cape Girardeau, Mo.—License to cover construction permit (B4-P-3503), which authorized changes in transmitting equipment.

KFVS—Oscar C. Hirsch, trading as Oscar C. Hirsch Battery and Radio Co., Cape Girardeau, Mo.—Authority to determine operating power by direct method.

KVGB—Helen Townsley, Great Bend, Kansas.—Construction permit to move transmitter 38 feet, 6 inches (same address).

1420 Kilocycles

WOC—Tri-City Broadcasting Co., Davenport, Iowa.—Modification of construction permit (B4-P-2288 as modified), which authorized changes in frequency, increase in power, move transmitter, install new transmitter and directional antenna for day and night use, requesting extension of completion date from 9-19-42 to 10-19-42.

1450 Kilocycles

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—Authority to determine operating power by direct method.

1490 Kilocycles

KPAB—Mervel M. Valentine, Laredo, Texas.—Voluntary assignment of license to Laredo Broadcasting Co.

NEW—Laredo Broadcasting Co., Laredo, Texas.—Construction permit for new standard broadcast station to be operated on **1490 kc.,** 250 watts, unlimited time.

WRGA—Rome Broadcasting Corp., Rome, Ga.—Authority to determine operating power by direct method.

FM APPLICATIONS

W65H—WDRC, Inc., Hartford, Conn.—License to cover construction permit (B1-PH-35 as modified), which authorized construction of new high frequency broadcast station.

W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y.—License to cover construction permit (B1-PH-46 as modified), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

W45CM—WBNS, Inc., Columbus, Ohio.—License to cover construction permit (B2-PH-8 as modified), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

W73PH—Wm. Penn Broadcasting Co., Philadelphia, Pa.—License to cover construction permit (B2-PH-118), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

W49BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—License to cover construction permit (B1-PH-10, as modified, which authorized new high frequency broadcast station), and for change in location of studio from 136 Chenango St., Binghamton, N. Y., to 134 Chenango St., Binghamton, N. Y.

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—License to cover construction permit (B4-PH-57) as modified, which authorized a new high frequency broadcast station, in part, in accordance with Commission action of 8-4-42.

TELEVISION APPLICATIONS

W9XBB—Balaban & Katz Corp., area of Chicago, Ill.—License to cover construction permit (B4-PVB-78) as modified, which authorized a new experimental television relay broadcast station.

W9XPR—Balaban & Katz Corp., Chicago, Ill.—License to cover construction permit (B4-PVB-79) as modified, which authorized a new experimental television broadcast station.

MISCELLANEOUS APPLICATIONS

KEJM—Perkins Brothers Co. (The Sioux City Journal), area of Sioux City, Iowa.—Modification of license to change corporate name to Perkins Brothers Company.

WBEE—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—License to cover construction permit (B1-PRY-266 as modified), which authorized construction of new relay broadcast station.

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y. License to cover construction permit (B1-PRE-386) as modified, which authorized a new ST Broadcast station. Amended: to delete request for **333400** and **336400 kc.**

W47P—Walker & Downing Radio Corp., Pittsburgh, Pa.—Modification of license to change corporate name to WWSW, Inc.

W8XAL—The Crosley Corp., Cincinnati, Ohio.—Extension of special experimental authorization to operate on **6080 kc.,** 1 KW, sharing time with WLWO, and A0 and A1 emission for identification purposes only.

W1UC—University of Illinois, Urbana, Ill.—License to cover construction permit (B4-PED-21 as modified), which authorized construction of new non-commercial educational broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

American Cigarette and Cigar Co., Inc., manufacturer and distributor of "Pall Mall Cigarettes," and The American Tobacco Co., manufacturer and distributor of "Lucky Strike Cigarettes," are charged in complaints with misrepresentation in the advertising of their cigarettes. (4826-4827)

Atlantic Packing Company—Samuel Perloff, Harry Perloff, Earl Perloff, and Morris Perloff, trading as Atlantic Packing Co., and Atlantic Packing Co., Distributors, 919 North Front St., Philadelphia, engaged in the wholesale distribution of canned foods, are charged in a complaint issued with misrepresentation. (4822)

Club Razor & Blade Manufacturing Corp., 36 Green St., Newark, N. J., engaged in the manufacture and sale of safety razor blades, is charged in a complaint with misrepresentation. (4820)

Fraering Brokerage Co., Inc., 423 South Front St., New Orleans, with branch offices and warehouses at Alexandria, La., and Jackson, Miss., is charged in a complaint with violation of the brokerage section of the Robinson-Patman Act. (4823)

Siegel & Alenikoff, 520 Eighth Ave., New York, engaged in the manufacture and sale of women's textile coats and other garments, are charged in the complaint with misrepresentation. (4824)

Southgate Brokerage Co., Inc., 249 West Taswell St., Norfolk, Va., which also operates branch offices and warehouses at Winston Salem, Charlotte, Wilmington, and Greensboro, N. C., is charged in a complaint with violation of the brokerage section of the Robinson-Patman Act. (4821)

Edward Wemett & Co., 1612 South San Pedro St., Los Angeles, engaged in the sale of medicinal preparations designated "Wemett's Salve" and "Wemett's Ointment," is charged in a complaint with false advertising and misrepresentation. (4825)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Reilly Tar & Chemical Corp., Indianapolis, engaged in the manufacture and sale of various coal tar products, including one designated "Reilly Transote," formerly designated "Reilly Transparent Penetrating Creosote," recommended as a treatment for wood building construction and for the soil on which a termite-infested building stands, has stipulated that in advertising its product it will discontinue any representation conveying the belief to purchasers that the repellent effectiveness of "Reilly Transote" is of such permanence as to assure against all future termite infestations and decay, or is such as will afford permanent or complete protection against termites and decay irrespective of the lapse of time. The respondent also agrees to cease any representation implying that tests of the product have been made by the Termite Investigations Committee of California which were of such scope or time coverage as to warrant the inference that the effective value of the product would remain unimpaired or endure as complete protection against termites, irrespective of the lapse of time. (3520)

Shalem & Co., 244 Fifth Ave., New York, engaged in the importation and sale of Chinese decorative cloths and merchandise, has stipulated to desist from the use on labels affixed to their products, or in any other way, of the word "linen" either alone or in connection with the word "pure" as descriptive of products not made from the fiber of flax, from the use of the word "linen" in any way so as to convey the belief that products made from other than flax fibers are made from flax fibers. (3519)

Alexander Smith & Sons Carpet Co., Yonkers, N. Y., with sales offices at 295 Fifth Ave., New York, and C. H. Masland & Sons, trading as Masland Wilton Mills, Philadelphia and Carlisle, Pa., engaged in the sale and distribution of rugs, have stipulated to cease and desist from use of the words or names "Kirman," "Sarouk" or other distinctively Oriental name or word or simulation thereof as a designation for or as descriptive of rugs which are not in fact made in the countries or localities so designated or implied and which do not contain all of the essential characteristics and qualities of genuine Oriental rugs; unless, if properly used to designate the pattern or design only, such words are immediately accompanied in equally conspicuous type by such words as "design" or "pattern" so as to indicate clearly and definitely that only the design or pattern delineated on the surface of the rug is a likeness of an Oriental design or pattern as, for example, "Kirman design" or "Sarouk pattern." (3521)

Spers Company, Le Center, Minn., engaged in selling a rat poison designated "Rat-Rid," stipulated to cease representing that the product is completely safe or non-poisonous to children, pets, livestock or poultry; that rats eating the product leave the premises to die, or that they require no handling or leave no odor, and that the product is an effective poison for mice. They further agree to cease use of the designation "Rat-Rid" as the name for the product, or otherwise representing that its use will rid premises of rats. (03042)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

T. H. McKenna, Inc., et al.—Three corporations engaged in wholesaling and retailing medical books have been ordered to cease and desist from entering into or carrying out any mutual agreement to fix or maintain prices or to establish or control the territory in which they sell such books.

The order is directed against T. H. McKenna, Inc., New York; Chicago Medical Book Co., Chicago, and J. A. Majors & Co., Dallas, Tex. These dealers, the Commission found, are the largest wholesale distributors of medical books in the New York area, the Middle West, and the South and Southwest, respectively. (3558)

Princess Yarn Co., 49 Essex St., New York, have been ordered to cease and desist from certain misrepresentations concerning their products. The Commission found that the respondents falsely represented in catalogs the constituent fibers or materials of which their yarns are made. (4631)

FTC DISMISSES CASE

The Federal Trade Commission has ordered that complaints issued by it against Granite Railway Co., 1245 Hancock St., Quincy, Mass., and J. S. Swingle, Inc., 327 Willard St., Quincy, Mass., be dismissed.

Both corporations are engaged in the quarrying, distribution and sale of granite blocks to be manufactured into monuments. The complaints had alleged that advertisements circulated by the corporations representing their product as "Everlasting" were misleading.

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RADIO CENSUS INDEX

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 36, September 11, 1942

Selective Service

We print below a suggested statement to serve as the basis for filling out Selective Service Form 42-A or an attachment thereto for submission to local Draft Boards. This draft is not intended for use in its entirety, but should be modified and adapted to serve the requirements of the individual case. Paragraphs not applicable in a given case should be deleted and other pertinent information should be added.

For procedure to secure temporary deferment to "key" men, see NAB Reports, July 17, p. 435.

I

This plea is not for the individual registrant concerned, but rather is made on the basis of his qualifications and consequent usefulness in the radio broadcasting industry which has been designated by National Headquarters of the Selective Service System, in its memorandum of July 11, 1942, to local boards, as an industry "essential to the support of the war effort."

The probability is that as time goes on, radio broadcast stations will become more and more essential,—increasingly so if the war approaches our shores,—and it appears obvious that an essential industry should be operated at maximum efficiency. Further, in the interest of such efficiency it follows that, owing to the highly specialized nature of broadcasting from the technical, legal, business and public relations standpoints, trained and efficient personnel is indispensable.

II

As an example of the importance of radio to the war effort, the attached exhibit shows the amount of time given freely by radio stations at the Government's request, in a recent three months' period to promote recruiting, the sale of bonds, etc. (Submit copy of p. 529, NAB Reports of Sept. 4. Reprints available at NAB upon request.)

III

In all military defense areas the operation of radio broadcast stations has been placed directly under the authority of the Commander responsible for the defense of the area involved. Certain stations have been designated as "key" stations and required to operate twenty-four hours daily, other stations are required to keep tuned to the key stations at all times. These operations are deemed essential by the military authorities in combating enemy air raids.

IV

Radio is only effective if it is able to maintain its listening audience and this requires efficient operation. Amateurish, untrained announcers can only influence people to turn their radios off. News editors unfamiliar with the technicalities of censorship may only succeed in relaying information of value to the enemy. The technicians at a broadcast station are in effect the stage managers of the show and much of the appeal of radio entertainment is due to the skill with which they do their work. Just as a motion picture of great artistic merit could be ruined and without appeal if the camera men were technically unskilled, so could the creation of a great radio script writer be valueless without skilled technical personnel to see that it is properly broadcast.

V

Due to the unavailability of spare parts and tubes and the rapid depreciation of equipment which cannot now be replaced, the radio broadcasting industry is currently operating within a narrow margin of safety. Breakdowns and technical interruptions will inevitably become increasingly frequent. The technical staff is responsible for the smooth operation of the station and repairs of breakdowns. Most stations have only one technician on duty at key points and during his hours of work he is solely responsible for repairs. Just as a chain is only as strong as its weakest link, the continuous operation of a station may depend at any time on the skill of any individual technician at any given point. The ability of a technician to make rapid and effective repairs is dependent upon his basic knowledge of fundamental principles, his familiarity with the wiring, lay-out and construction of the smallest detail of the entire plant and his natural aptitude to diagnose trouble. It has been said that good radio repairmen are born, not made. This is no doubt due to the fact that a peculiar process of mental reasoning is necessary to analyze and correct technical difficulties hence the successful training of replacements can only be determined after the individual trainee has progressed a great way in his studies. It is common knowledge in the industry that only a small percentage of the graduates of technical schools possess the aptitude for making speedy repairs of intricate radio equipment as well as practical, everyday operation of a radio station.

VI

The efficiency of any organization bears a direct relationship to the caliber of the management. Broadcasting is a complex industry embracing many highly specialized fields. The manager of a broadcast station should have considerable knowledge of music, the dramatic arts, literature, public relations, advertising, merchandising, the technical phases of radio, law, news reporting and general business practice. From the foregoing it can easily be recognized that replacement of top flight radio executives is virtually impossible, during the present emergency.

VII

The industry, in recognition of its obligation to supply radio technicians for the armed forces, assisted through its trade organization, The National Association of Broadcasters, is inaugurating training courses. Over 20,000 students have been enrolled in over 800 classes in 46 states. These courses, while intended primarily to train personnel for the military and for essential war production of radio equipment, will produce a certain number of apprentice technicians for radio stations. However, graduates from these thirty-two week courses are in no sense equipped to handle responsible technical jobs in a radio station. At least 6 to 8 months of specialized experience and training in a station

(Continued on page 540)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

SELECTIVE SERVICE

(Continued from page 539)

before they can be entrusted with even minor responsibilities is needed.

VIII

Prior to the war the Federal Communications Commission required all broadcast stations to have an operator holding a first class radio telephone operator's license on duty at the transmitter at all times. The Commission recognizing the present shortage of licensed operators has modified its Rules under Order No. 91B. This Order permits stations to be operated by a holder of a restricted radio telephone operator's license subject to the supervision and immediate availability in case of emergency of an operator holding the usual first class license. Under no circumstances does the Commission permit stations to be operated by unlicensed persons. Although stations are required by law to have only one first class radio telephone operator available at all times this represents a minimum legal requirement and should not be construed as an indication that it is practical to operate on this minimum basis. Order No. 91B specifically states that in case of a breakdown of the broadcast equipment repairs and adjustments can only be made by a holder of the first class radio telephone operator's license. (At this point in your letter to the Local Draft Board outline in detail the minimum requirements of your station for technicians and the reasons for arriving at this minimum taking into consideration hours of operation, station power and plant arrangement.)

HAVE YOU WRITTEN LETTER FOR ARMY AIR FORCES?

Have you written the letter that the Army Air Forces asked each broadcaster to write? The request is found on page 531 of last week's NAB Reports.

If you have not written this letter, we strongly urge you to do so today. Four or five hundred such letters will help get this program in high gear.

Right now a force of extra recruiting personnel is in the field literally scraping the bottom of the barrel for trained and semi-trained radio technicians for immediate enlistment.

In a very few weeks there aren't going to be many available radio technicians left anywhere in the United States.

How Do You Stand?

Will you be able to carry on when the going gets tougher? If there isn't a class in the Fundamentals of Radio in your territory or in your hometown to take care of present and prospective needs, we urge as strongly as we know how that you get busy and arrange for such a course.

On Thursday of this week, Dean Crothers of the Engineering, Science and Management War Training was queried as to whether there had been any changes for admission to such classes. He said "no." Courses are open to qualified civilians as well as to enlisted reserves. He expressed the opinion, however, that students enrolled should be of military caliber and headed for the military or for industry. That's the latest advice from the U. S. Office of Education.

Schools Originate Proposals for Courses

The application for a course originates in the field with an educational institution not in Washington. Proposals for courses are sent in by properly qualified engineering schools. The place to start negotiations for a course in Fundamentals of Radio is with the Institutional Representative of a university or college having an engineering department or with the Dean of the engineering school or the President if you happen to know either of them. Some few non-engineering schools giving majors in physics, like University of Chicago and University of Buffalo, are likewise eligible for direct contracts with ESMWT. Most classes are given off campus and in cities many miles remote from the sponsoring institution—where sufficient qualified students may be recruited.

Many engineers and technicians at radio stations make good instructors for these classes. They are paid for their work of teaching just as any instructor, after approval by the educators.

In our eagerness to help the country win the war we must have capable technical personnel. Otherwise the industry would fold up and be unable to help any longer.

If women are going to ferry airplanes from factory to the take-off points you can bet your last dollar they're going to be employed as broadcast technicians when they learn how. Courses are open to both men and women and enlisted reserves.

"THIS WAR IS RUN BY RADIO."

NAB BOARD MEETING

A meeting of the NAB Board has been set tentatively for September 24-25 at the Palmer House, Chicago. Developments in the musicians situation will determine whether the meeting will be postponed to October 1-2.

DOROTHY LEWIS TOUR

Mrs. Dorothy Lewis, NAB Director of Listener Activity, leaves New York next week for an extended tour of the nation. In the course of the trip, itinerary of which is printed below, Mrs. Lewis will meet with radio station operators, station directors of women's activities, schools and colleges, with radio councils and with civic groups to organize such councils.

Among the subjects which Mrs. Lewis will discuss and upon which conferences will be held are: "Children in Wartime," "Radio's Major Role in the War," "Layman's Place in American Radio."

Conferences are scheduled in many places where she will visit and the foregoing subjects will be the theme. She will address the Minnesota Federation of Women's Clubs at Mankato, the University of Minnesota Conference on the "Layman's Place in American Radio." She will visit Winnipeg and Vancouver, Canada, under the auspices of the Canadian Broadcasting Corporation and the Canadian Association of Broadcasters. She will also be in attendance at the Chicago Educational Conference.

This will be the third annual tour which Mrs. Lewis has made under the auspices of NAB. As a result of her first tour, the very splendid book, "Broadcasting to the Youth of America," was issued. This has proven very helpful to station operators, radio listeners and school people. The itinerary follows:

September 18, Syracuse; September 19, Cleveland; September 20, Chicago (Quiz Kids—Guest); September 21, Toledo; September 22, Milwaukee; September 23-24, Mankato; September 25, Minneapolis; September 26, Minneapolis (Educational Conference); September 27, to Winnipeg; September 28, Winnipeg; September 29, to Fargo; September 30, Fargo.

October 1-2, Omaha; October 3, Des Moines (luncheon—Educational Conference); October 4, to Kansas City; October 5, Kansas City; October 6, Wichita; October 7, Denver; October 8, Boulder (Educational Conference); October 9, Salt Lake City; October 10, Provo (Educational Conference); October 11, Salt Lake City; October 12, Salt Lake City—Ogden; October 13, Pocatello; October 14, to Missoula; October 15, Missoula; October 16. Spokane; October 17, Seattle (Educational Conference); October 18, to Vancouver, B. C.; October 19, Vancouver, B. C.; October 20, Seattle; October 21-22, Portland (Educational Conference); October 23, Sacramento (dinner conference); October 24, Oakland and Berkeley (Mills College Conference); October 25-26, San Francisco; October 27, Fresno; October 28-29 Los Angeles; October 30, Los Angeles (conference New England Women—West Coast); October 31, Los Angeles.

November 1-5, Los Angeles; November 6, Los Angeles (Educational Conference); November 7, Los Angeles (Tea); November 8, to Phoenix; November 9, Phoenix; November 10-11, to Chicago; November 12-13, Chicago (Chicago Educational Conference); November 14, Davenport, Iowa; November 15-17, Iowa City, Iowa; November 18, Rockford, Illinois; November 19, Peoria, Illinois; November 20, Nashville (Educational Conference); November 21, Louisville; November 22, Washington, D. C.; November 23, New York.

Listener Activities

RADIO SERVES NATIONAL ORGANIZATIONS

The use of radio by national organizations has presented many problems both to network officials and to local station managers. Most of these organizations are staffed by voluntary workers, and, in many cases, without previous radio experience. The result has been a severe problem to radio executives, and unsatisfactory performances to the laymen concerned. It is encouraging to know that a number of such national bodies are streamlining their radio activities in an attempt to do a more effective job. The National Girl Scouts, Incorporated, have done an extraordinary thing in securing from the DuPont Company and its advertising agency, Batten, Barton, Durstine and Osborne, the permission to use the "Cavalcade of America" recordings with the advertising deleted and the Girl Scout propaganda inserted. To date, 130 Councils have rented the series which means that 16% of all the radio stations in the country have signed up. A recent check by letter through the Coordinator of Listener Activities resulted in responses from over 50% of the stations using this program. Below are quotes from some of the letters received.

"I have found that the program series was well received. We naturally tied in with local leaders—mayor, etc.— so that there was a personal, homey touch. Our dramatic director coached the Scouts and local people before making the weekly transcriptions. The girls felt they would prefer transcriptions to a live appearance so that they could hear themselves." (Ed. This is the only case that has come to our attention where the local "live" script was transcribed.)

"We received numerous telephone calls the week following the last broadcast from listeners wanting to know why the show wasn't on. We regret that the series was so limited."

"We found the transcribed series excellent and the local Girl Scout council serviced the program in a commendable fashion. To the best of our knowledge the program was well received by the public—one listener sending in an unsolicited $25 contribution to the local council."

"Even though we didn't set any new world's records for attracting listeners to these broadcasts, we feel that the whole field of public service broadcasting will benefit if more shows of this type are made available. Too much public service broadcasting is amateurish, and this project looks like a long step toward the solution of that particular program."

"We did not have, nor did we expect, much cooperation from the local Girl Scout organization. Our relations with them are extremely friendly, but, through no fault of their own, the local organization does not have the least idea of how to make available use of the free service at their disposal through broadcasting. . . . They seem to be afraid to ask us for any cooperation and most of the time do not know what they want. . . . This lack of appreciation of how to use radio is something that needs immediate correction. Our local group is so accustomed to being turned down by our own newspaper that they are very timid about approaching us and we practically have to force our attentions on them."

"I cannot conceive of a more fundamentally sound method to inculcate the finest traditions of American manhood and womenhood into these fine young folks. It is my frank opinion that the very fine, intelligent cooperation given by the Girl Scout organization here to this series, as outlined above, does warrant the time and expense of carrying this program."

"Since you ask for a frank comment concerning the question of the use of radio as a medium for your program, I would certainly suggest that you utilize such shows as the 'Cavalcade of America' and not depend upon local talent. We have done three 'Live' shows for your organizations recently, and with all due respect to the girls, it is only natural that the result is an amateur effort and is undoubtedly listened to only by the proud parents of the participants."

At Davenport, Iowa, WOC accepted the program and the following arrangements were made:

Each of the three councils was responsible for two programs—for incorporating local interest into the live scripts furnished by National, for selecting an important civic person and a Girl Scout representative to deliver these two talks, and for rehearsing and taking charge of the program.

"The following publicity campaign took place preceding and during the broadcasts:

Essay Contest: "Which Broadcast I Like Best and Why." This was announced at the leaders' meeting. Leaders not present were contacted personally by a member of the Cavalcade Committee. A Judging Committee was announced, and the contest divided into three classifications—for Brownies, Intermediates and Seniors. Nine prizes were donated by the department store, all articles from the Girl Scout department, and they were prominently displayed with a sign calling attention to the 'Cavalcade' programs and the contest.

Newspaper Stories and Pictures: Before and during the series. Also a story in the Girl Scout Regional Journal.

Churches: Each church was contacted and the following announcement inserted in their bulletins: 'Girl Scouts, Parents and Friends: Tune in to WOC every Sunday night at eight o'clock from February 15 to March 22 and listen to "Cavalcade of America" broadcasts, an interesting and historical program.'

Spot Announcements: Every sponsor of programs over WOC was contacted relative to granting permission for a little free time for spot announcements, both prior to and during the broadcasts. Each responded graciously and eleven sponsors gave space on his programs, which covered morning, afternoon and evening hours. Each time a differently worded 'boost' was given our 'Cavalcade' program."

Other national organizations will learn much from the experience of the Girl Scouts in this unusual project and should find the comments of radio station managers enlightening.

ORDER 4 MILLION MORE COPIES OF "WHAT CAN I DO"

The speed and aggressiveness with which the broadcasters put into execution of the suggested plan for distributing "What Can I Do" booklets for OCD, increased the original print order by four million. This happened in less than a week's time after the mailing of the folio on August 29.

Entirely new to OCD operation is the speed with which this national campaign was launched and gotten under way by the broadcast industry. Because of the personal attention which broadcasters gave to the matter all delay was eliminated.

Several cities were reported whose local OCD did not know about the campaign. Naturally they got busy the minute the news was brought to them by the stations. For all this "extra" help, OCD is greatly appreciative.

New Haven Plan

In New Haven, Conn., the metropolitan area was divided into six zones. Each day requests for "What Can I Do" booklets, received from listeners, are distributed to the proper zone. Wardens make the delivery in person. They do this in New Haven because booklet delivery enables the wardens to make an additional contact with residents in their immediate communities. The booklets are mailed to all people living outside of the six zone area. This is all according to information received from James T. Milne, manager, WELI, who is also local OCD radio chairman.

Though only 12,000 booklets were on hand at the beginning of the campaign, Sept. 8, Mr. Milne was assured that he would receive as many booklets as he could give away in the metropolitan New Haven area with its 165,000 population.

Out in Logan, Utah, where the Cache County Defense Council is temporarily short of funds, the Council and Reed Bullen, manager, KVNU, decided on using the manpower of the public schools for delivery purposes.

Schools Help

Booklets were placed in the hands of principals of every school in the county. Each child takes one home to his parents and delivers as many others as are needed to cover any families, in their vicinity, without children in school. Teachers are told to impress upon the children the importance of everyone receiving one of the booklets and of reading it from cover to cover.

In order that this might be impressed further upon the minds of all of the people in the station's service area, KVNU is running a heavy campaign, advising parents to get this booklet from their children, etc., and telling why it is important that it be read.

Counties other than Cache, covered by KVNU, are being contacted and arrangements made to assist in this promotion.

A large number of letters have been received from stations which reflect the appreciation of local OCD Councils for the information that as many copies of "What Can I Do" would be available as could be used without waste.

This information reached the councils in cities having broadcast stations without having to be fanned down from the state organization which takes considerable time. Consequently, the industry was able to contribute in another way to the speed-up of distribution.

In only one or two instances has it been reported that local councils are without means for mailing the booklets. If any other stations encounter similar situations notify Arthur Stringer at NAB headquarters.

NEW HIGH IN NAVY RECRUITING

During August, 1942, Navy made a new high in recruiting. The exact figure for the month is confidential but informed broadcasters will get an idea of the number from a statement of Admiral Randall Jacobs, Chief of Naval Personnel. He said that the Navy is now enlisting the equivalent of a peacetime Navy a month.

Lt. Comdr. Dudley A. White, Bureau of Naval Personnel, said that the aggressive part played by the broadcast industry played a prominent part in making the record possible.

COAST GUARD HAS STIFF QUOTA

A folio of Coast Guard announcements for suggested use during September and October will be mailed all stations this week.

This fighting force has a stiff quota to meet which it is confidently expected will be met with the usual assistance given by the industry.

BUY A BOND—$18.75 UP

Charlie Zurhorst, promotion manager, WOL, Washington, wonders whether it wouldn't be a good idea to intersperse announcements on bonds with an announcement on a single bond.

Most everybody has to start with one bond, says Charlie, so why not say, "Buy a bond tomorrow (today)—$18.75 up."

NEW WBZ PUBLICITY MANAGER

George W. Slade is the new publicity manager of WBZ-WBZA, Boston and Springfield, according to Cy Young, general manager. He replaces Eugene Stafford who has entered the armed forces.

PACE IS NEW CHIEF ENGINEER AT WFBC

New Chief Engineer at WFBC, Greenville, S. C., is Wilson Pace. He replaces Hubert Brown who has joined the technical staff of WKRC, Cincinnati.

LEE DE FOREST REPLIES

Responding to a telegram of congratulations sent by President Neville Miller (NAB Reports, page 520), Lee de Forest has written the following letter:

"I very much appreciate the warm telegram of birthday greetings which you were so thoughtful as to send me.

"I was never in better health and strength than I am now, and judging from the way I feel and work at the present time I may hope to live to see the '69' reverse itself!

"Rest assured that one reason for my present condition is the deep and unending satisfaction which comes to me daily as I realize what radio broadcasting has done, and is continually accomplishing, in the way of aid to the war effort of the United Nations, confident that in the years to come it will prove a most powerful factor in the maintenance of World Peace."

OWI CAMPAIGN

A campaign announced by the Office of War Information designed to inform the American people of the facts of the war effort of the United Nations, originally announced in NAB Reports, page 519, has been revised. As a result of the excellent advice given by stations and because of the fact that other campaigns of an important nature are coming up, the number of daily announcements has been cut from 10 to 6.

Some misgivings were had on the part of station managements in cities in which several stations are located, over the effect of 10-a-day announcements on every station. OWI has cut the number of announcements to 6 but urgently requests that every station schedule these 6 announcements daily. The subject was given careful consideration at a conference held in Washington on Tuesday and it was the consensus that the best results can be obtained if all stations will cooperate fully. This they are urged to do.

PER-INQUIRY REQUESTS

The Radio Book Club, 80 Arden St., New York City, Emanuel Demby, Radio Director, is soliciting stations on a P-I deal. Although the publicity states that this is not a pre-inquiry deal in the full sense of the word, it is just that in every sense of the word. It is exactly this kind of deal that the Broadcast Advertising Department has sought to eliminate from radio stations. A letter has been written to Mr. Demby.

The United Advertising Co. is at it again, this time in behalf of the Skrudland Photo Service. In their letter they state that "over 28 radio stations of varying power" are carrying these per-inquiry deals. This is rather disappointing considering the efforts that have been made to eliminate this method of using radio.

RADIO ARTISTS VOLUNTEER

The Office of War Information Wednesday announced that top-flight radio artists of the country had offered their services to the Government in war work under the direction of the OWI.

A three-way plan, under which the talent of these stars will be utilized, was submitted to OWI by Kay Kyser who is forming a "Committee of 25" leading radio performers.

At noon Wednesday acceptances had been received by OWI from Jack Benny, Edgar Bergen, George Burns, Gracie Allen, Nelson Eddy, Clifton Fadiman, Jean Hersholdt, Frank Morgan, Hal Peary, Lanny Ross and Major Bowes. Others invited by Kyser were Mr. and Mrs. Goodman Ace, Fred Allen, Amos and Andy, Bob Burns, Eddie Cantor, Bing Crosby, Bob Hope, Andre Kostelanetz, Fibber McGee and Molly, Edward G. Robinson, Red Skelton, Kate Smith, Fred Waring, William Abbott and Lou Costello.

The "Committee of 25" will meet for the first time at a series of conferences to be held by OWI with networks and advertising agencies in New York, September 18; Chicago, September 21; and Hollywood, September 24 and 25.

The OWI stated that as the war reaches deeper into American lives there is an increasing need for the government to maintain personal contact with its armed forces, its labor forces, and its home front forces through messages of information and inspiration. The Office is aware, and deeply appreciative, of the individual contributions already made by radio talent, but feels that a united group of performers can effectively aid the OWI in the great job ahead.

Members of the group are already touring Army and Navy camps here and abroad, and performing valuable service through their radio programs by speaking to the country on such important war topics as Salvage, Bonds, Recruiting, Rationing, etc. The OWI stated that the group would also donate much time and effort in personal appearances before war plant workers, carrying to them not only entertainment but information on the progress of the war.

The "Committee of 25" will work in close cooperation with four other committees which have greatly aided the OWI in the effective use of radio for war time information. These four comprise a network committee: a committee of government radio chiefs; the Advertising Council Committee in New York, Chicago and Hollywood; and a committee of leading radio station operators.

FEDERAL COMMUNICATIONS COMMISSION

FCC OPERATOR EXAMINATIONS

Examinations for operators' licenses are held regularly at FCC District Headquarters' Offices throughout the country. Recently, to expedite the granting of new licenses, additional examination points were established. Exact dates on which examinations are to be held at these points have not as yet been determined. Applicants should obtain further information regarding the exact dates by corresponding with the inspector in charge of the district in which an examination point is located.

The additional examination points together with the approximate dates of the next examinations are indicated as follows:

Quarterly:	*Commercial*	*Amateur*
Des Moines, Iowa..........	Oct. 9, 1942 Jan. 9, 1943 April 10, 1943	Oct. 10, 1942 Jan. 10, 1943 April 11, 1943
St. Louis, Missouri	Nov. 13, 1942 Feb. 13, 1943 May 8, 1943	Nov. 14, 1942 Feb. 14, 1943 May 9, 1943
San Antonio, Texas	Nov. 20, 1942 Feb. 20, 1943 May 22, 1943	Nov. 21, 1942 Feb. 21, 1943 May 23, 1943
Oklahoma City, Oklahoma . .	Oct. 23, 1942 Jan. 23, 1943 April 24, 1943	Oct. 24, 1942 Jan. 24, 1943 April 25, 1943

Quarterly:

Birmingham, Alabama—Oct. 16, 1942-Jan. 1943-April 1943.

Charleston, West Va.—Sept. 1942-Dec. 1942-March 1943-June 1943.

Cincinnati, Ohio—November 1942-February 1943-May 1943.

Columbus, Ohio—October 1942-January 1943-April 1943.

Davenport, Iowa—October 1942-January 1943-April 1943.

Fort Wayne, Indiana—November 1942-February 1943-May 1943.

Fresno, Calif.—September 1942-December 1942-March 1943-June 1943.

Grand Rapids, Mich.—October 1942-January 1943-April 1943.

Huron, So. Dakota—Sept. 1942-December 1942-March 1943-June 1943.

Indianapolis, Ind.—November 1942-February 1943-May 1943.

Little Rock, Ark.—Sept. 15, 1942-Jan. 12, 1943-Apr. 13, 1943-October 5, 1943.

Milwaukee, Wisc.—Oct. 1942-January 1943-April 1943.

Nashville, Tenn.—November 20, 1942-February 20, 1943-May 15, 1943.

Pittsburgh, Pa.—November 1942-February 1943-May 1943.

Schenectady, N. Y.—Sept. 1942-Dec. 1942-March 1943-June 1943.

Syracuse, N. Y.—October 1942-January 1943-April 1943.

Winston Salem, N. C.—Nov. 7, 1942-Feb. 6, 1943-May 1, 1943.

Semi-Annually:

Albuquerque, New Mexico—September 16, 1942-March 21, 1943.

Bangor, Maine—September 18, 1942-March 20, 1943.

Billings, Montana—November 1942-May 1943.

Bismarck, North Dakota—October 1942-April 1943.

Boise, Idaho—October 1942-April 1943.

Butte, Montana—November 1942-May 1943.

Corpus Christi, Texas—December 1942-June 1943.

Cumberland, Maryland—October 14, 1942-April 14, 1943.

Hartford, Conn.—October 14, 1942-April 15, 1943.

Hilo, T. H.—January 25, 1943.

Jacksonville, Fla.—November 21, 1942-May 16, 1943.

Lihue, T. H.—February 8, 1943.

Memphis, Tenn.—February 1943.

Mobile, Alabama—Nov. 17, 1942-May 25, 1943-November 18, 1943.

Omaha, Nebraska—October 1942-April 1943.

Phoenix, Arizona—October 1942-April 1943.

Portland, Maine—September 22, 1942-March 24, 1943.

Reno, Nevada—October 1942-April 1943.

Roanoke, Virginia—October 3, 1942-April 3, 1943.

Salt Lake City, Utah—September 1942-March 1943.

Spokane, Washington—November 1942-May 1943.

Wichita, Kansas—September 18, 1942-March 1943.

Williamsport, Pa.—November 1942-May 1943.

INSURANCE RATES DROP

The Employers Liability Assurance Corporation have reduced the rates for their Broadcasters Liability Insurance policy (NAB REPORTS, November 7, 1941, p. 834). The new rates are as follows:

	Full Cover	Full Cover Except Literary and Dramatic	Full Cover Except Network	Cover Excluding Network and Literary and Dramatic
1st $25,000	4%	3½%	3%	2½%
Next $25,000	2½%	2¼%	2%	1¾%
Next $50,000	2%	1¾%	1½%	1¼%
Over $100,000	1¼%	1%	⅞%	¾%

The above rates are based on 15% participation by the insured in all cases and the minimum amount of insurance which can be written on this type of policy is $10,000.

The experience on the insurance written during the past year has been satisfactory, it is reported, which resulted in the company's willingness to reduce rates. On a sufficiently larger volume of this business, it is said, it is altogether possible that the rates may be further reduced at some future date.

920 STATIONS

During the month of August, 1942, the Federal Communications Commission granted one permit for the construction of a new station and issued operating license to one station. One operating station and one CP station were deleted. A comparative table by month follows:

	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1
Operating	859	869	877	882	887	891	893	897	899	906	906	905	905
Construction	53	44	38	37	36	32	31	27	25	18	19	16	15
	912	913	915	919	923	923	924	924	924	924	925	921	920

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 14. They are subject to change.

Monday, September 14

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—C. P., **1150 kc.**, 1 KW, DA-night, unlimited.

Wednesday, September 16

KXKX—First National Television, Inc., Kansas City, Mo.—Renewal of license, **1590 kc.**, 1 KW, unlimited.

Thursday, September 17

WORK—York Broadcasting Co., York, Pa.—Modification of C. P., **1350 kc.**, 1 KW, DA-night, unlimited.

Friday, September 18

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—C. P., **84000** to **90000 kc.**, ESR-1128, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KICD—Fred A. Gefke (Transferor), L. W. Andrews (Transferee), Iowa Great Lakes Broadcasting Co. (Permittee), Spencer, Iowa.—Granted consent (B4-TC-307) to the acquisition of control over Iowa Great Lakes Broadcasting Company by Lawrence W. Andrews, by purchase of 140 shares of the unissued common stock and 120 shares of the unissued preferred stock of the licensee, for a consideration of $3,500 for the Common and $3,000 for the preferred stock.

Columbia Broadcasting System, Inc., New York City.—Granted extension of authority under Sec. 325(b) of the Act to transmit programs to Stations CKAC, Montreal, Canada. CFRB, Toronto, and other stations under the control of the Canadian Broadcasting Corp. (B1-FP-102).

National Broadcasting Co., Inc., New York City.—Granted extension of authority under Sec. 325(b) of the Act to transmit programs to Canadian radio stations CFCF and CBL, and to such other stations in Canada as the Canadian Broadcasting Corp. desires (B1-FP-105).

National Broadcasting Co., Inc., New York City.—Granted extension of authority under Sec. 325(b) of the Act, to transmit recorded programs to all broadcast stations in Canada licensed to operate by the Canadian government which may be heard consistently in the United States (B1-FP-104).

WRNL—Richmond Radio Corp., Richmond, Va.—Granted construction permit (B2-P-3505) to make changes in directional antenna for nighttime use.

HEARINGS DESIGNATED

KWG—McClatchy Broadcasting Co., Stockton, Cal.—Designated for hearing application to make changes in transmitter and antenna and increase power from 100 to 250 watts (B5-P-3498).

KROY—Royal Miller, Sacramento. Calif.—Designated for hearing application for construction permit (B5-P-3497) to install a new transmitter and increase power from 100 to 250 watts.

LICENSE RENEWALS

The following stations were granted renewals for the period ending June 1, 1943:

WAIR, Winston-Salem, N. C.; WDMJ, Marquette, Mich.; WGH, Newport News, Va.; WGTM, Wilson, N. C.; WJPR, Greenville, Miss.; WLBC, South of Muncie, Ind.; WLAV, Grand Rapids, Mich.; WNBH, New Bedford, Mass.; WRAW, Reading, Pa.; WSTV, Steubenville, Ohio.

The following stations were granted renewals for the period ending October 1, 1944, on a regular basis:

KYA and auxiliary, San Francisco; WHBF, Rock Island, Ill.; WISH, Indianapolis, Ind.; WOOD, Grand Rapids, Mich.; WWNY, Watertown, N. Y.; WXYZ and auxiliary, Detroit, Mich.

The following stations were granted renewal of licenses on a regular basis for the period ending February 1, 1943:

KWG, Stockton, Calif.; KWNO, Winona, Minn.; WAIM, Anderson, S. C.; WBHP, Huntsville, Ala.; WCED, DuBois, Pa.; WCLO, Janesville, Wisc.; WCOL, Columbus, Ohio; WENY, Elmira, N. Y.; WITH, Baltimore, Md.; WKBO, Harrisburg, Pa.; WMOB, Mobile, Ala.; WSAM, Saginaw, Mich.

The following stations were granted renewals on a regular basis for the period ending April 1, 1943:

WBBL, Richmond, Va.; WEBQ, Harrisburg, Ill.; WHIZ, Zanesville, Ohio; WLOK, Lima, Ohio, and WSBC, Chicago, Ill.

MISCELLANEOUS

WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted modification of construction permit which authorized installation of new transmitter and directional antenna for night use, increase power, change frequency, and move transmitter, for extension of completion date from September 6 to November 5, 1942 (B3-MP-1623).

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit, as modified, which authorized installation of directional antenna for day and night use, and increase in power, for extension of completion date from September 16 to October 16, 1942 (B5-MP-1630).

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Granted modification of construction permit, as modified, which authorized change in frequency. increase power, directional antenna for night use, new transmitter, and move of transmitter, for extension of commencement and completion dates from March 21, 1942, and September 17, 1942, to September 17, 1942, and March 17, 1943, respectively (B3-MP-1625).

KGDM—E. F. Peffer, Stockton, Calif.—Granted modification of construction permit, as modified, which authorized change in frequency, increase in power, change hours of operation, install directional antenna for night use, and new transmitter, for extension of completion date from September 20, 1942, to October 20, 1942 (B5-MP-1629).

WLAY—Muscle Shoals Broadcasting Corp., Muscle Shoals City, Ala.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1430).

WALL—Community Broadcasting Corp., Middletown, N. Y.—Granted license to cover construction permit for new station (B1-L-1695); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1425).

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted license to cover construction permit as modified, which authorized installation of directional antenna for night use, and increase in power (B3-L-1699); also granted authority to determine operating power by direct measurement of antenna power (B3-Z-1427).

WSYB—Philip Weiss, trading as Philip Weiss Music Co., Rutland, Vt.—Granted license to cover construction permit, as modified, for change in frequency, increase in power, installation of new transmitter and directional antenna for night use (B1-L-1696); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1426).

WGNY—WGNY Broadcasting Co., Inc., Newburg, New York.—Denied special service authorization (B1-SSA-44) to operate unlimited time, using power of 1 KW.

WJZM—Roland Hughes, Clarksville, Tenn.—Denied request for permission "to cooperate with the local police department in transmitting police messages intended for officers located in patrol cars over the city", and advised that, should the city officials desire to pursue this matter further with a view to establishing a police communications system as such, they get in touch with the Commission.

WORK—York Broadcasting Co., York, Pa.—Granted motion to continue hearing to November 16 on application for modification of construction permit, now scheduled for September 17.

KDNT—Harwell V. Shepard, Denton, Texas.—Granted petition for leave to amend application for construction permit to request frequency **1400 kc.**, and 100 watts power, on condition that amendment is filed within 45 days.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Withdrew petition for order to take deposition and motion to continue hearing in re application for construction permit.

WINK—Mid-America Broadcasting Corp., Louisville, Ky.—Granted petition for acceptance of appearance filed August 24, in re application for modification of construction permit.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Granted petition to accept appearance in re application for renewal of license.

WGRN—P. K. Ewing, Greenwood, Miss.—Granted petition to accept appearance in re application for renewal of license.

APPLICATIONS FILED AT FCC

580 Kilocycles

WIAC—En rique Abarca Sanfeliz, Hato Rey, P. R.—Modification of license to change location of main studio from 13 Comercios St., San Juan, Puerto Rico to Stop 29, Ordonez St., Hato Rey, P. R.

600 Kilocycles

WCAO—The Monumental Radio Co., Baltimore, Md.—Modification of construction permit (B1-P-3024 as modified), which authorized increase in power, move of transmitter, installation of new transmitter and directional antenna for day and night use, for extension of completion date from 9-8-42 to 10-8-42.

700 Kilocycles

WLW—The Crosley Corp., Cincinnati, Ohio.—Construction permit to increase power from 50 KW to 650 KW, make changes in transmitter of W8XO for use by WLW and install directional antenna for night use. Amended: to request modification of license instead of construction permit to operate with power of 50 KW night and 500 KW daytime, using the transmitter licensed to W8XO.

900 Kilocycles

WSBA—Susquehanna Broadcasting Co., York, Pa.—License to cover construction permit (B2-P-3314 as modified), which authorized construction of new standard broadcast station.

WSBA—Susquehanna Broadcasting Co., York, Pa.—Authority to determine operating power by direct measurement of antenna power.

990 Kilocycles

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—License to cover construction permit (B3-P-2839 as modified), for increase in power, changes in equipment and directional antenna for night use.

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Authority to determine operating power by direct measurement of antenna power.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Modification of construction permit (B5-P-3261 as modified), which authorized construction of new standard broadcast station for approval of directional antenna for day and night use as now adjusted and extension of commencement and completion dates.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758 as modified), which authorized increase in power, installation of new transmitter and directional antenna for day and night use for extension of completion date from 9-19-42 to 10-17-42.

1230 Kilocycles

NEW—Raymond C. Hammett, Talladega, Ala.—Construction permit for new standard broadcast station to be operated on **1230 kc.**, 250 watts, unlimited time. Amended: re change in type of transmitting equipment.

1300 Kilocycles

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Modification of construction permit (B2-P-2874 as modified), which authorized increase in power, installation of new transmitter and directional antenna for night use and move transmitter and studio requesting extension of completion date from 9-23-42 to 11-23-42.

1380 Kilocycles

KIDO—Frank L. Hill and C. G. Phillips, d/b as Boise Broadcast Station, Boise, Idaho.—Voluntary assignment of license from Frank L. Hill as surviving co-partner of Hill and Phillips, co-partners, and Georgia Phillips, Executrix of estate of C. G. Phillips, deceased, to Georgia Phillips, d/b as Boise Broadcast Station.

1450 Kilocycles

KEUB—Eastern Utah Broadcasting Co., Price, Utah.—Authority to install automatic frequency control equipment.

KORE—Frank L. Hill & C. G. Phillips, d/b as Eugene Broadcast Station, Eugene, Oregon.—Voluntary assignment of license from Frank L. Hill, as surviving co-partner of Hill and Phillips, co-partners, and Georgia Phillips, Executrix of estate of C. G. Phillips, deceased, to Frank L. Hill and Violet Hill, co-partners, d/b as Eugene Broadcast Station.

1480 Kilocycles

KGCX—E. E. Krebsbach, Sidney, Mont.—License to cover construction permit (B5-P-3476), which authorized move of transmitter and studio and antenna changes.

KGCX—E. E. Krebsbach, Sidney, Mont.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WRGA—Rome Broadcasting Corp., Rome, Ga.—License to cover construction permit (B3-P-3478) for move of transmitter and changes in antenna system.

1510 Kilocycles

WLAC—J. T. Ward, trading as WLAC Broadcasting Service, Nashville, Tenn.—License to cover construction permit, which authorized increase in power, installation of new transmitter and directional antenna for night use and move of transmitter (B3-P-1250 as modified).

WLAC—J. T. Ward, trading as WLAC Broadcasting Service, Nashville, Tenn.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

W71SB—South Bend Tribune, South Bend, Ind.—License to cover construction permit (B4-PH-54 as modified), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

W59C—WGN, Inc., Chicago, Ill.—License to cover construction permit (B4-PH-7), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

TELEVISION APPLICATION

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Modification of construction permit (B2-PCT-4 as modified), which authorized construction of new commercial television broadcast station requesting extension of completion date from 10-1-42 to 12-1-42.

MISCELLANEOUS APPLICATIONS

W6XDU—Don Lee Broadcasting System, Los Angeles, Calif.—Modification of construction permit (B5-PVB-83 as modified), which authorized addition of aural equipment using special emission for extension of completion date from 9-1-42 to 12-1-42.

W4XGG—Gordon Gray, Winston-Salem, N. C.—License to cover construction permit (B3-PST-6), which authorized construction of new ST broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Arco Case Co., 15 East 40th St., New York, engaged in the sale and distribution of traveling bags, brief cases, trunks, and other merchandise, is charged in a complaint with misrepresentation. (4831)

Fratelli Branca & Company, Inc., 12-14 Desbrosses St., New York, engaged in the sale and distribution of a medicinal preparation designated "Fernet-Branca" is charged in a complaint with false advertising and misrepresentation. The complaint charges that in newspaper and periodical advertising, by radio continuities and other advertising means the respondent has represented that its preparation is a cure or remedy for stomach disorders, indigestion, headaches, insomnia, and other ailments; that it gives the body resistance to the inclemency of the weather; regulates the bodily functions and aids in digestion, and that its use will promote, maintain and improve health generally. (4828)

Vocational Placement Bureau, et al.—Use of a facsimile signature so prepared as to resemble the signature of Henry Morgenthau, Secretary of the Treasury, on collection agency cards which are mailed from a Washington address, is charged in a complaint issued against two Ohio distributors of such cards and their Washington, D. C., intermediary. The respondents named in the complaint are Andrew J. Lytle and Richard Carl Lytle, trading as Vocational Placement Bureau, Debtors Finance Bureau and Bureau of Records of Employment, Everett Building, Akron, Ohio, and William Edgar Spieer, 302 Bond Building, Washington. (4829)

Wisconsin DeLuxe Doll & Dress Co., trading as Wisconsin DeLuxe Corporation, 1902 North Third St., Milwaukee, engaged in the sale and distribution of blankets, clocks, electric fixtures and other merchandise, is charged in a complaint with the use of lottery methods. (4830)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

S. C. S. Chemical Co., 2617 South Crawford Ave., Chicago, engaged in selling medicinal preparations designated "S. C. S. Corn Salve" and "S. C. S. Athlete's Foot Salve," stipulated to cease and desist from representing that the corn salve is a remedy or cure for corns or will enable one to get rid of them or that it is a remedy or cure for callouses or warts; that the foot salve will cure athlete's foot or ringworm or that it is effective in the treatment of those conditions unless limited to such cases as are not "deep-seated"; or that the foot salve is effective in the treatment of eczema. (03043)

Chesebrough Manufacturing Co., Consolidated, 17 State St., New York, engaged in selling Vaseline Hair Tonic, and McCann-Erickson, Inc., 50 Rockefeller Plaza, New York, an advertising agency which disseminated advertisements of the product, have stipulated to discontinue representing that Vaseline Hair Tonic prevents or tends to prevent the recurrence of dandruff scales or that it affects the cause of dry scalp or goes to the root of dry scalp trouble. (03040)

Collins Piano Co., Greenville, Tex., maintaining sales offices in other cities, including one at Texarkana, Tex., and engaged in the sale and distribution of new and used pianos, has stipulated to cease representing that it has or is offering for sale at any particular place any used or repossessed piano or other product of which a balance is represented to be due unless such representations are true. (3524)

Evergreen Hatchery, Lynden, Wash., engaged in the sale and distribution of chicks, stipulated to cease and desist from representing by use of the words "Member . . . Washington State Poultry Improvement Association," or in any other manner, that he is a member or that his hatchery is under the supervision of the Washington State Poultry Improvement Association. (3522)

Feather Mills, 1014 Thomas St., Seattle, Wash., engaged in the manufacture and sale of pillows under various brand names, has stipulated to cease and desist from use on labels of the term "Grey Goose Down" as descriptive of pillows not wholly filled with down, and from use of the word "down" either alone or with the word "goose" so as to convey the belief that the pillows are wholly filled with down or that they do not contain any material other than down. He also stipulates that he will cease representing that his pillows contain a designated amount of down, when actually the down content is less than that indicated. (3523)

Liberty Broadcasting Corp., operating Radio Station WAGA, Atlanta, Ga., engaged in selling the use of its radio transmittal facilities and power, stipulated to cease representing that WAGA has more listeners in Atlanta than any other radio station or that, when operating as authorized in its construction permit, it can be heard without interference over the entire State of Georgia; or misrepresenting through exaggeration the number of prospective purchasers who listen to the station. (03047)

Perfection Foods Co., trading as Standard Kennel Food Co., Battle Creek, Mich., engaged in selling dry dog food preparations designated "Standard Kibbled Biscuit," "Standard Whole Biscuit," "Standard Puppy Meal," "Standard Dog Food" and "Standard Cubes," and A. F. Dando, trading as Strand Agency, Battle Creek, Mich., conducting an advertising agency which disseminated advertisements for the products on behalf of Standard Kennel Food Co., stipulated to cease and desist from using the terms "meat" or "meat cereal" or any other terms of similar import or meaning to designate or describe dehydrated meat meal or any product which is not meat in fact. (03045)

Pixacol Co., P. O. Box 3583, Cleveland, Ohio, engaged in the sale of a medicinal preparation designated "Pixacol," stipulated to cease and desist from representing that the product constitutes a cure for psoriasis and also that he will cease disseminating any advertisements which fail to reveal that the preparation may irritate the skin, particularly if applied with rubbing; that one should avoid getting it into the eyes or on mucous membranes, and that it should in no case be applied to large areas of the body, provided, however, that such advertisements need only contain the statement: "Caution Use only as Directed," when the directions for use on the labeling contain a caution or warning to the same effect. (03041)

Price Candy Co., 2 West 39th St., Kansas City, Mo., engaged in selling "Health Candy," stipulated to desist from representing that the product is less fattening than ordinary candies; that it will not cause fat to be stored in the body, or that its sweetening ingredient is composed entirely of dextrose. The Price Candy Co. further agrees to cease representing by use of the word "Health" in the designation of its product, or otherwise, that the product will have a significant effect upon the health of users. (03044)

Tardif Domestic Peat Sales Co., Waukesha, Wis., engaged in mining, preparing and distributing peat obtained from peat bogs at Delafield, Wis., has stipulated to desist from use of the words "Peat Moss" as descriptive of its product and from the use of the words "Peat Moss" in any way so as to convey the belief to purchasers that the product is moss peat, a product consisting chiefly of the decomposed stems and leaves derived from species of Sphagnum mosses. (3525)

T-Lax Products Co., Birmingham, Ala., engaged in selling a drug designated "T-Lax," stipulated to cease representing that T-Lax can be relied upon to attain or maintain good health; that it is effective in the treatment of stomach, liver or kidney troubles or of indigestion, biliousness, or similar ailments; that it aids digestion; that it will act as a laxative or have any effect upon the liver or act as a diuretic or aid to the kidneys; that it will remove the poisonous accumulation from the blood stream, or that it is different from all other products offered for the same purpose. (03046)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Capitol Paint & Varnish Works, Inc., 1346 West Concord St., Chicago, engaged in the manufacture and sale of paints and varnishes, has been ordered to cease and desist from certain misrepresentations concerning its products. (4536)

Giroux Company, Inc., 401 West 13th St., New York, manufacturer and distributor of a table sauce, has been ordered to cease and desist from misrepresentation concerning its product. (4731)

Merit Health Appliance Co., 707 South Hill St., Los Angeles, engaged in the sale and distribution of a therapeutic device designated "Merit Short Wave Diathermy," have been ordered to cease and desist from false advertising and misrepresentation of their product. (4543)

Teeterbabe Company of Colorado, 4714 Clay St., Denver, Colo., engaged in the sale and distribution of electric irons, electric toasters, cameras, and other merchandise, has been ordered to cease and desist from use of lottery methods in the sale of his products. The Commission finds that the respondent distributed sales literature, including letters of instruction, and pull cards as part of sales equipment. (3709)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W.
WASHINGTON, D. C.
Vol. 10, No. 37, September 18, 1942

BOND SALES GREAT, SEND IN REPORTS, SAYS CALLAHAN

"Radio Bond sales by stations that have reported to date are more than satisfactory," says Vincent F. Callahan, Director of Radio and Press for the Treasury's War Savings Staff.

"As of September 12, returns had been received from 148 stations. These stations reported a total of $2,441,530.37—or an average of roughly $160,000 per station reporting during the month and a half that the plan has been in operation.

"However, you will note that only 148 stations have thus far reported on their sales—and more than 750 stations agreed to sell Bonds. It is very important that *all* stations report their sales to us, so that the radio industry can receive full credit for the job it is doing. Remember, we will not release individual sales figures—and thanks again, as always, for your wonderful cooperation."

Labor

MANPOWER TRENDS

There is a growing recognition on the part of government officials of the need for swift action in protecting essential war industries against the undue inroads on the part of the military service. Of course, with the United States called upon to raise an army of some 10,000,000 men as stated by General Hershey, many men who are now working in essential war industries are bound to find their way into the Army, either by the operation of the Selective Service Act or by enlistment.

Chairman Paul V. McNutt of the Manpower Commission in testifying before the Tolan Committee investigating national defense migration on Wednesday (16) stated that it was his belief that drastic action would have to be taken to control the employment within the 34 essential activities and occupations, among which is radio broadcasting. He pointed out that these activities must be maintained if the entire war effort of the nation is to function smoothly. Already the Manpower Commission has frozen labor in the lumbering industry and in nonferrous mining. It is likely that this policy may be pursued in the case of other industries.

On Monday of this week, Mr. McNutt signed directive No. 10 effective September 27, implementing the President's Executive Order signed September 12, and establishing procedure to cover transfers and releases of the federal government's 2,300,000 civilian employees. This directive confers upon the Civil Service Commission the authority to make findings that civilian employees in any department of the Federal Government are qualified to perform work in one of the 34 critical war occupations. Employees thus certified are at liberty to accept employment in private industry without disturbing their Civil Service status. They can serve in private industry for the duration of the war and 6 months thereafter and then return to government service with their Civil Service status unimpaired.

All of these events point to early disposition either by Congress or by the Manpower Commission of the manpower problem now confronting the essential war activities, including radio broadcasting.

OVERTIME POLICY

President Roosevelt on September 9 issued an executive order dealing with the payment of overtime which supersedes all present policy or the terms of current labor agreements. The order is effective October 1.

Double time is outlawed except in the case of the employee who works seven days in a row. On the seventh day of his work week, this employee must be paid double time.

Time and one half must be paid on New Year's, Fourth of July, Labor Day, Thanksgiving, Christmas and Memorial Day or one other holiday of greater local importance.

Otherwise, the provisions of the Wage and Hour Act or of labor contracts prevail.

The text of the order:

Whereas many labor organizations have already adopted the patriotic policy of waiving double time wage compensation or other premium pay for work on Saturday, Sunday and holidays, as such, for the duration of the war; and

Whereas it is desirable and necessary in the prosecution of the war, and to insure uniformity and fair treatment for those labor organizations, employers, and employees who are conforming to such wage policies that this principle be universally adopted:

Now, Therefore, by virtue of the authority vested in me by the Constitution and the statutes, as President of the United States and as Commander in Chief of the Army and Navy, it is hereby ordered:

1. That the following principles and regulations shall apply for the duration of the war to the payment of premium and overtime wage compensation on all work relating to the prosecution of the war:

A. No premium wage or extra compensation shall be paid to any employee in the United States, its territories or possessions, for work on Saturday or Sunday except where such work is performed by the employee on the sixth or seventh day worked in his regularly scheduled workweek and as hereinafter provided.

(1) Where because of emergency conditions an employee is required to work for seven consecutive days in any regularly scheduled workweek a premium wage of double time compensation shall be paid for work on the seventh day.

(2) Where required by the provisions of law or employment contracts, not more than time and one-half wage compensation shall be paid for work in excess of eight hours in any day or forty hours in any workweek or for work performed on the sixth day worked in any regularly scheduled workweek.

Holiday Pay

B. No premium wage or extra compensation shall be paid for work on customary holidays except that time and one-half wage compensation shall be paid for work performed on any of the following holidays only: New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and either Memorial Day or one other such holiday of greater local importance.

II. All Federal departments and agencies shall conform to the provisions in all existing and future contracts negotiated, executed, or supervised by them to the policies of this order. All such

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THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

OVERTIME POLICY

(Continued from page 549)

departments and agencies shall immediately open negotiations to alter provisions in existing contracts to conform them to the requirements of this order.

III. Nothing in this order shall be construed as requiring a modification of the principle that every employee should have at least one day of rest in every seven days. The continuous operation of plants and machines in prosecuting the war does not require that employees should work seven consecutive days.

IV. Nothing herein shall be construed as superseding or in conflict with the provisions of the statutes prescribing the compensation, hours of work and other conditions of employment of employees of the United States.

V. All Federal departments and agencies affected by this order shall refer to the Secretary of Labor for determination questions of interpretation and application arising hereunder.

VI. The provisions of this order shall become effective October 1, 1942.

WAGE POLICY

By October 1, national wage policy should be determined. President Roosevelt set that date in his recent message to Congress about the problem of inflation.

Meantime, there appears to be a rush for pay raises. The nearest thing to a national policy available at the moment is the so-called "Little Steel" formula devised by the War Labor Board. This formula, *meant to apply only to those whose entire income goes mainly for the necessities of life,* provides a 15 per cent increase over wages prevailing in January, 1941. This increase is based on the increase in the cost of living. All wage increases since January, 1941, must be calculated into the 15 per cent.

If a union demands more, a broadcaster is within his rights in demanding that the case be referred to the War Labor Board, through the U. S. Labor Department. All unions are pledged to a no-strike-pending-arbitration policy for the duration.

COST OF LIVING

The U. S. Labor Department reports that the cost of living advanced 0.4 per cent between July 15 and August 15, and on the latter date was 19 per cent higher than it was in August, 1939, just before the outbreak of war. The increase since May 15 has been 1.2 per cent.

Sales

NAB APPOINTS AVERY

Lewis H. Avery has been named Director of NAB's Department of Broadcast Advertising, succeeding Frank Pellegrin, now a captain in Uncle Sam's growing Army.

Mr. Avery—Lew to the radio fraternity—brings to his new job a splendid background of experience in radio and in advertising. He comes directly from Free and Peters whom he has served in the mid-west area for the past several years. Prior to that his radio career stretches back to his high schools days in 1917 when he built and operated a ½-kilowatt station in his home town, Seneca Falls, New York. This early radio venture ended when the sheriff received orders from the Federal Government to close all radio stations in his county.

Lew turned to engineering and started a course at Union College, Schenectady. However, his natural bent for writing led him into the publicity department of the General Electric Company. In 1926, while thus employed, he became a part-time announcer on Station WGY and within a very short time was doing news programs and conducting a half-hour weekly farm program.

After two years at this dual capacity, Lew became assistant to the advertising manager of the Mohawk Power Corporation, and in 1930 was given top spot as advertising manager of that company.

In 1930 he went to Batten, Barton, Durstine and Osborn and was assigned by Arthur Pryor, Jr., to handle all radio activities for that agency on accounts between Albany and Detroit. In 1932 he became manager of planning and service for Radio Stations WGR-WKBW at Buffalo. In this capacity he coordinated all sales and merchandising activities. Seven months later, in January 1933, he became Director of Sales for these two stations.

In July 1936 when the move to form a Sales Managers Division of NAB was gotten under way, Lew was one of the leaders and became a member of the first Executive Committee, and in 1937 was chairman of that committee and served through 1937 and 1938. In 1938 Avery presented a comprehensive plan of broadcast advertising to the Sales Managers Division. This was unanimously adopted and became the basis of NAB's broadcast advertising activity.

Lew Avery was born at Seneca Falls, New York. He attended Mynderse Academy before enrolling in Union College. In 1927 he married Miss Helen E. Smith of Schenectady. The Averys have an eight-year-old daughter and a two-year-old son. Mr. Avery will assume his new duties at NAB headquarters on October 1.

"JUST ANOTHER 'RADIO PLUG-UGLY'"

Joseph W. Lee, president of the Oklahoma Network, Inc., recently sent Neville Miller the following letter:

DEAR NEVILLE:

I was sitting in my office at KGFF this morning talking with a friend about the viciously unfair "Radio Plug-Uglies" diatribe in August *Readers Digest.* It was 10:55 a. m.. I noted the time because we were waiting to hear the opening of our studio AP Newscast at 11:00 a. m.

The phone rang.

My secretary came to the door and said, "Shawnee Hospital on the line."

The voice said, "This is Miss Henry at Shawnee Hospital; we have an emergency. We need a blood donor, type 2, and we can't reach any of our regulars of this type. There is a lady here who lives in Tribbey, Oklahoma, who needs a transfusion immediately. She has no relatives, and no one near who can help her. Could you help us on this?"

We prepared a brief appeal, asking volunteers to phone the Shawnee Hospital at once. The announcement was handed our newscaster just a few seconds before he went on the air with our newscast at 11:00 a. m. He gave it immediately.

At 11:10 Miss Henry called and informed us that within five minutes of our announcement two volunteers had called. One was the proper type and was even then enroute in his car to the hospital. Miss Henry said that a woman from Tribbey, Oklahoma, would be grateful . . .

Things like this happen of course everywhere in radio, constantly. Every station could probably duplicate this story.

Anyway this incident happened today, and is true as related above in exact detail.

Just another "Radio Plug-Ugly."

PER-INQUIRY OFFERS

The Juneau Agencies, 214 South Vermont Ave., Hollywood, are attempting to place per-inquiry orders for their client, the *Farm Journal.*

The Greeting Card Industry, 200 Fifth Ave., New York City, is again seeking free time for promotional purposes.

COURT REVERSES FCC IN KOA CASE

Dividing 4-2, the U. S. Court of Appeals for the District of Columbia on Monday reversed the FCC in the NBC-KOA appeal in the WHDH clear channel case, and held that electrical interference to the service area of a station is sufficient to give it the right to intervene and be heard by the Commission, and to appeal in case the decision is favorable to the applicant.

The majority split three ways as to the degree of intervention the existing station is entitled to, and the stage of the proceedings when it may be had. Justice Rutledge stated that the right arose when the "Proposed Findings of Fact and Conclusions" were issued and not before. Chief Justice Groner and Justice Vinson declared that participation in the hearing should have been accorded from the outset. Justice Stephens concurred in the latter view, adding that a station license "whether or not it may be technically a property right, it is a thing of value to the person to whom it is issued and a business conducted under it may be the subject to injury." He further declared that "to construe doubtful language of Congress as permitting the impairment or destruction of a licensee's interests without a hearing would be to invalidate, under the due process clause of the Fifth Amendment, the action of Congress. That that clause protects against the arbitrary impairment or destruction of substantial rights even though they are limited by the public interest, is not open to doubt."

That the six Justices found it necessary to express their views in three majority and two minority opinions is regarded by radio lawyers as further evidence of need of revision of the Communications Act.

We print the opinions in full below:

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

No. 7933

National Broadcasting Company, Inc., appellant,

v.

Federal Communications Commission, Appellee

and

Matheson Radio Company, Inc., and Berks Broadcasting Company, intervenors.

Appeal from the Federal Communications Commission.

On Reargument

Decided September 12, 1942.

Before Groner, Chief Justice, and Stephens, Miller, Vinson, Edgerton, and Rutledge, Associate Justices.

Rutledge, J. The appeal is from an order of the Commission entered April 7, 1941. The applicant (Matheson Radio Company, Inc.) operates Station WHDH at Boston, Massachusetts, and is intervenor here. Appellant operates Station KOA at Denver, Colorado, upon the same frequency, 830 kc, now 850 kc under the North American Regional Broadcasting Agreement. The order authorized increases in power and time for WHDH. Appellant claims it is aggrieved and its interests are adversely affected by the order. Hence it asserts both a right of appeal and one to hearing by the Commission, which denies both. The principal questions are therefore whether, on the showing made, (1) appellant has standing to appeal; (2) the Commission acted arbitrarily or erroneously in refusing to permit it to intervene as a party in the administrative proceedings.

KOA is a Class I station, operating since 1928 on a clear channel with 50 kw power.[1] By virtue of this classification it was the only station operating on its frequency at night prior to the order now in question. From 1930 WHDH had been a 1 kw station operating daytime only until sunset Denver time. The order modified its license to permit operation for unlimited time and with 5 kw power. No formal or literal modification was made in KOA's license, but modifying the license of WHDH created electrical interference after sunset in KOA's secondary service area. Roughly the region affected is that lying 700 miles or more east of Denver. To accomplish this change, the Commission had to transfer the frequency 850, on which both stations operate, from subdivision (a) to subdivision (b) of Section 3.25 of its rules.[2] Accordingly the order provided for this transfer.

The substantive injury of which appellant complains consisted therefore in creating new and additional electrical interference, affecting its secondary service area; degrading the status of Station KOA from a clear channel station by reclassifying it; and, in effect though not in terms, modifying its license in these respects. As appears below, appellant also asserts these changes not only affected its interests substantially and adversely, but had like effect upon the public interest, in depriving listeners within the secondary service area of its service and also in jeopardizing the status of this frequency under the North American Regional Broadcasting Agreement.[3]

The substantive injuries, however, both to appellant and to the public, are set forth primarily not to secure substantive redress in this appeal, but (1) to establish appellant's standing to appeal; and (2) to show that appellant had a right to intervene in the Commission's proceedings of which it has been deprived either arbitrarily or erroneously. The case therefore raises again the troublesome question concerning who is entitled to appeal from the Commission's orders and upon what showing, under the nebulous provisions of the statute in this respect;[4] and the equally difficult, perhaps more unsettled inquiry, who, if anyone, may intervene as of right in its proceedings for granting, denying or modifying a license under the equally cloudy provisions relating to these matters.

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[1] Under Sections 3.22 and 3.25 of the Commission's Rules and Regulations, the following provisions concerning clear channel stations are made:

"§ 3.22 *Classes and power of standard broadcast stations—(a) Class I station.* A 'Class I station' is a dominant station operating on a clear channel and designed to render primary and secondary service over an extended area and at relatively long distances. Its primary service area is free from objectionable interference from other stations on the same and adjacent channels, and its secondary service area free from interference, except from stations on the adjacent channel, and from stations on the same channel in accordance with the channel designation in § 3.25 or in accordance with the 'Engineering Standards of Allocation' at page 2756. The operating power shall be not less than 10 kw nor more than 50 kw (see also § 3.25 (a) for further power limitation)."

"§ 3.25 *Clear channels; class I and II.* The frequencies in the following tabulation are designated as clear channels and assigned for use by the classes of stations as given:

"(a) To each of the channels below there will be assigned one Class I station and there may be assigned one or more Class II stations operating limited time or daytime only: 640, 650, 660, 670, 700, 720, 740, 750, 760, 770, 800, 810, 820, 830, 850, 860, 870, 980, 1,000, 1,070, 1,090, 1,130, 1,150, 1,170 and 1,190 kilocycles. The power of the Class I stations on these channels shall not be less than 50 kw.

"(b) To each of the channels below there may be assigned Class I and Class II stations: 680, 710, 790, 970, 1,020, 1,040, 1,050, 1,060, 1,080, 1,100, 1,110, 1,140, 1,160, 1,180, 1,460, 1,470, 1,480, and 1,490 kilocycles." Code of Fed. Reg. (Supp. 1939) 2742, 2744.

[2] See note 1 *supra.* Various contentions made with reference to this change, as being one in policy, "legislative" or "judicial" in character, made upon hearing before an improper official, *i. e.,* an examiner, etc., are not considered herein, since other and more important issues are sufficient to dispose of the appeal.

[3] Par. B, 8 (d) of Part II of this treaty provides: "If within the period of this Agreement the country to which a clear channel has been assigned shall have made use of the channel but not in the manner above described or not to the extent required by the provisions of this Agreement, such country shall be considered as having relinquished that portion of the rights which it has not used and at the expiration of this agreement, the other countries party thereto shall have the right, if they see fit, to withdraw the unused privileges from such country and to reassign them to any or all of the other interested countries.

[4] The question has been presented here and in the Supreme Court in numerous cases. *E. g.,* Sanders Bros. Radio Station v. F. C. C., 70 App. D. C. 297, 106 F. (2d) 321 (1939), *rev'd on other grounds,* 309 U. S. 470 (1940); WOKO, Inc. v. F. C. C., 71 App. D. C. 228, 109 F (2d) 665 (1940); Yankee Network, Inc. v. F. C. C., 71 App. D. C. 11, 107 F (2d) 212 (1939); Stuart v. F. C. C., 70 App. D. C. 265, 105 F. (2d) 788 (1939); Pittsburgh Radio Supply House v. F. C. C., 69 App. D. C. 22, 98 F. (2d) 303 (1938); Red River Broadcasting Co. v. F. C. C., 69 App. D. C. 1, 98 F. (2d) 282 (1938), *cert denied,* 305 U. S. 625 (1938); Pulitzer Pub. Co. v. F. C. C., 68 App. D. C. 124, 94 F. (2d) 249 (1937).

I. *The Right to Appeal*

Appellant has standing to appeal. The statute confers this upon a "person aggrieved or whose interests are adversely affected." Section 402 (b) (2). In *F. C. C.* v. *Sanders Brothers Radio Station,* 309 U. S. 470 (1940), the Supreme Court held that the licensee of a competing station likely to be financially injured qualifies for appeal. It went further and asserted that Congress *"may have been* of opinion that one likely to be *financially* injured by the issue of a license would be the *only* person having a sufficient interest to bring to the attention of the appellate court errors of law in the action of the Commission in granting the license." (Italics supplied) "Financially" was inserted by amendment of the opinion after the decision was first handed down. It does not follow that this guarded and speculative dictum makes economic injury the sole criterion of status to appeal, as the Commission and WHDH contend. The *Sanders* case involved on its facts only financial injury. The court held that sufficient. Though it suggested the possible insufficiency of other kinds of injury, no question concerning them was before it. The decision therefore cannot be taken as deciding such an issue.

There are strong reasons why the dictum should not be accepted as either stating or forecasting the law. Nothing in the statute specifies or requires a showing of financial injury as the exclusive basis to appeal. Nor are the hypotheses tenable that such injury is the only sort, of a substantial kind, likely to occur or that only persons financially hurt will be able or likely to appeal. It is true they probably will have the financial resources necessary for litigation. It does not follow that others, who may be affected adversely though not financially, will be neither willing nor able to appeal.

The contrary assumption ignores the facts that radio broadcasting is not exclusively a matter of business or financial gain, and that it is the public interest, not the private right, which is primarily at stake upon the appeal. Unfortunately, commercial enterprise has taken over the lion's share of the field. Unfortunately, because when radio was in its infancy, many persons hoped that much of its work would be done by educational, religious and eleemosynary institutions, more than the event has permitted. Notwithstanding the policy which has so favored commercial operators, there is a considerable volume of noncommercial broadcasting. It takes place through stations supported not by advertising or "plugs," but by churches, universities, colleges, charitable foundations and others who have no profit-making revenues. Many still hope that the evils apparently inherent in commercial broadcasting yet may bring about a larger allocation of frequencies to licensees whose objects are not primarily the making of money.

Limiting appeals to persons financially injured would have the practical effect of denying them to nonprofit-seeking broadcasters. Conceivably, in very rare instances, such operators could show financial injury. But obviously they could not do so in the circumstances in which commercial stations are able most frequently to demonstrate its possible incidence. The view cannot be accepted that these stations can appeal only when some action of the Commission has the practical effect of destroying their capital investment. Such a view would not be consistent with the public interest and right which is the foundation of all broadcasting and which primarily the commercial broadcaster's appeal is designed to protect. *F. C. C.* v. *Sanders Bros. supra.* The latter is likely to utilize the public interest as a vehicle for protecting his private standing, however tentative that may be in legal status. Few business institutions rush to the defense of the public weal when they are not affected in any private way. As between such operators, therefore, and the noncommercial broadcaster, the latter cannot be held a knight unworthy, unable or unwilling to battle for the general good in the lists of appellate litigation. Congress had no intention to exclude nonprofit stations from taking appeals, either absolutely or in practical effect. And if they can appeal by showing other than financial injury, so also can commercial operators.

Absence of economic injury however does not amount to presence of other sufficient injury. Appellant asserts it is enough that the order creates electrical interference. This the Commission now denies, in reversal of its apparent position prior to the *Sanders* decision.[5] Appellant argues that electrical interference, regardless of amount or effect, creates the right of appeal. To support this it points out that the whole occasion for regulation, including the feature of license, arises from the limited number of frequencies and the chaos electrical interference would cause, indeed did cause,[6] if there were no authority vested with power of license, allocation and police.

It is not necessary, however, to go so far with appellant. In the present stage of radio, very few changes, either in frequency or in power, can be made without creating some degree of electrical interference. This may range from minute and practically harmless interruption with remote and very occasional listeners in secondary service areas to total obliteration in the primary field. Nothwithstanding the Commission's apparently contrary view,[7] the latter effect would appear to be more than sufficient for appeal, whether or not a showing of financial injury could be made. Likewise, at the other end, it seems doubtful that an infinitesimal amount of new electrical interference should create standing to appeal.

Presumably by the decision in the *Sanders* case the Supreme Court intended that the financial injury must be something more than nominal or highly speculative. It seems not unreasonable to read the opinion as requiring by implication that there be probable injury of a substantial character. So much by way of limitation seems necessary to prevent vindication of the public interest from turning into mass appeals by the industry at large, with resulting hopeless clogging of the administrative process by judicial review. Likewise, with electrical interference, it is hardly necessary to secure appellate championship by every broadcaster who may be affected in only a remote and insubstantial manner. It follows that electrical interference, without a showing of financial injury, may be sufficient to create standing to appeal. But for this purpose there must be a reasonable possibility that it will be substantial. And this must appear, as we have held, from the notice of appeal and statement of reasons. *Yankee Network, Inc.* v. *F. C. C.,* 71 App. D. C. 11, 107 F. (2d) 212 (1939).

In this case the notice sufficiently discloses appealable interest. It states that appellant is aggrieved and its interests are adversely affected by the order and by its reaffirmance on denial of appellant's petition for rehearing; sets forth in detail the nature and steps of the proceedings before the Commission; and states, among reasons relied upon, that the order:

"(a) Results in *a substantial* modification of the license held by appellant . . . without having afforded it an opportunity to be heard as required by Section 312 (b) of the Communications Act of 1934." (Italics supplied.)

"(b) Results in a change in the class and character of the frequency . . . without consent or hearing as required by Section 303 (f)."

"(c) Results in a degradation of service on 830 kc (850 kc) which will be prejudicial to the priority rights of the United States on this channel under Paragraph B 8 (d) of Part II of the North American Regional Broadcasting Agreement without affording appellant an opportunity to be heard on its own behalf and on behalf of the listeners it serves."

"(d) Results in a discrimination against service to rural listeners in order to furnish additional service to the residents of the City of Boston and as such is violative of the requirements of Section 307 (b) of the Communications Act of 1934."

Other assigned reasons include assertedly improper procedures in changing Commission policy, failure to return the application as required by its rules, amendment of the rules under improper notice, insufficiency of the evidence to support the decision, denial of hearing according to due process of law, etc.

On its face, therefore, the notice charges that the order substantially modified the license of KOA, changed the class and character of its frequency, degraded the station's service under the North American Agreement; jeopardized thereby not only appellant's rights but the priority rights of the United States and therefore the interests, present and future, of the listening public, and created discrimination against rural and in favor of urban listeners contrary to statutory requirements. These reasons appear to be a sufficient showing of both private and public interest and of adverse affectation to sustain the appeal. They require that it be considered on the merits, that is, on the question whether appellant was wrongfully refused a hearing before the Commission.

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[5] The controversy in that case, and previously, concerning Section 402 (b) (2) was with reference to whether financial injury was sufficient, it being apparently the Commission's position that injury from electrical interference was the most that Congress had in mind in enacting this section.

[6] Prior to the Radio Act of 1927, and following the decision in United States v. Zenith Radio Corp., 12 F. (2d) 614 (N. D. Ill. 1926), and the Attorney General's opinion, OPS. ATT'Y GEN. (1926) 126. See MONOGRAPH OF THE ATTORNEY GENERAL'S COMMITTEE ON ADMINISTRATION PROCEDURE, PART 3. FEDERAL COMMUNICATIONS COMMISSION (1940) 83.

[7] The Commission's position that only financial injury, whether or not resulting from electrical interference, is sufficient for appeal necessarily means that electrical interference without financial injury, regardless of the extent or effect of the interference, would be no basis for appeal. Generally, of course, extensive interference would cause financial injury. But it is not clear this would be true of nonprofit stations or necessarily, perhaps, always in other cases.

II. *The Right to Hearing*

The extent of the conflict concerning intervention appears from the extreme positions taken by appellant, on the one hand, that such a right arises from the Fifth Amendment as a matter of due process of law, and by the Commission and WHDH, on the other, that Congress has given the former an absolute discretion which nothing in the Constitution inhibits or limits.

It is said that existence of a right of appeal presupposes a right to intervene. The statute does not expressly so provide. But in view of our conclusion, for reasons to be stated, that appellant was entitled to intervene, it is not necessary to decide whether in some unusual circumstance one not entitled to become a party might appeal.

On the other hand, the Commission's argument is untenable that appellant has no right to be heard because it has no vested right in the frequency, or in its license or status thereunder, *F. C. C.* v. *Sanders Bros., supra,* or because the statute empowers the Commission to make rules and regulations, Section 154 (i), and to "conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice." Section 154 (j). The fallacy is that one who has no such vested right has therefore no procedural protections in relation to the more tenuous rights, privileges or status he possesses.[8] Whatever its proper label, "qualified right," "privelege," "status," "licensee," appellant acquired something of value by virtue of its license and the statute. The label is not important. The fact that appellant has fulfilled statutory conditions and has received statutory advantages, status and protections is important. *Tutun* v. *United States,* 270 U. S. 568 (1926). That it may be deprived of these and that the Commission has discretion to take them away, wholly or in part, do not mean that it can do so in an unfair manner or without hearing.[9] The protections of procedural due process do not disappear because the substantive right affected is not a full-grown vested right like that in one's castle at the common law. The right of appeal in capital criminal cases is entirely statutory. But that does not put it entirely beyond constitutional limitation. *Cf. Boykin* v. *Huff,* 73 App. D. C. 378, 121 F. (2d) 865 (1941), and authorities cited. Similarly, though statutory rights in the nature of occupational license, revocable in administrative discretion, may not be "property" for purposes of protections afforded by substantive due process, they are not unguarded against arbitrary administrative action.[10] Procedural due process protects them against this, and does so notwithstanding the broad rule-making power and discretion given the Commission concerning the manner of conducting its business.

The crucial issue therefore comes down to whether appellant has been deprived of an opportunity for a fair hearing to which it was entitled either by the statute or by elementary due process. The two prongs of the question may be considered together. It will aid first to set forth the statutory provisions concerning hearing and those provided by the Commission's Rules and Regulations which are pertinent both to hearing and to intervention. These then may be considered in the light of what was done by appellant and the Commission.

A. The Statutory Provisions and Scheme of Hearings

Provisions concerning hearings are contained in Sections 309 (a), 303 (f), 312 (a), (b), and 409 (a) of the Act,[11] in addition to Section 154 (i), (j) referred to above.

Section 309 (a) relates to applications for license, for renewal and for modification. The Commission is authorized to issue, renew or modify the license, if *upon examination of the application,* it determines that public interest, convenience or necessity would be served by *granting* it. If it does not reach *such* a decision on examining the application, then it must set the matter for hearing, "notify *the applicant* . . . and afford *such applicant* an opportunity to be heard under such rules and regulations as it may prescribe." (Italics supplied.)

Under Section 303 (f) the Commission is authorized to "make such regulations *not inconsistent with law* as it may deem necessary to prevent interference between stations and to carry out the provisions of this Act," but with the proviso that "*changes in the frequencies, authorized power, or in the times of operation* of any station shall not be made without the consent of *the station licensee* unless, *after a public hearing,* the Commission determines that such changes will promote public convenience or interest or will serve public necessity, or the provisions of this Act will be more fully complied with . . ." (Italics supplied.) These are the most important provisions presently involved.

Section 312 (a), (b) requires hearing with notice to the station licensee when revocation or modification of license is proposed. In the case of modification the licensee is to be "given reasonable opportunity to show cause" why the order should not issue, after having notice in writing.

By Section 409 (a) a commissioner or examiner or the director of a division is empowered, when designated by the Commission, to hold hearings, except an examiner may not do so in administration of Title III with respect to a matter involving: "(1) a change of policy by the Commission, (2) the revocation of a station license, (3) new devices or developments in radio, or (4) a new kind of use of frequencies. In all cases heard by an examiner the Commission shall hear *oral arguments* on request *of either party.*" (Italics supplied.)

As has been noted, Section 154 (i), (j) confers broad power upon the Commission to make rules and regulations, issue lawful orders and determine the manner of conducting its business.

Before turning to the regulations we may note that Section 309 (a) does not *in terms* guarantee an applicant or anyone else a hearing in all cases. The matter may be determined upon examination of the application, if in that manner the Commission is able to conclude that the application should be *granted*. In other words, the applicant is not entitled to a hearing if the action is to be in his favor. On the other hand, if the Commission cannot decide for him by merely examining the application, it must afford *him* a hearing with due notice. In short, it cannot deny the application without a hearing and the applicant is a necessary party. Whether other persons who may be affected, including existing licensees, are or may be entitled to a hearing is not determined explicitly or perhaps implicitly by this section. It is primarily an applicant's section and deals chiefly, though not necessarily exclusively, with applicants' rights.

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[8] See Davis, *The Requirement of Opportunity to be Heard in the Administrative Process* (1942) 52 YALE L. J. 1093, 1118-25, and authorities cited and discussed therein.

[9] *Ibid.*

[10] *Ibid.*

[11] 48 STAT. 1082, 1085, 1086-7, 1096 (1934), 47 U. S. C. §§ 303 (f), 309 (a), 312 (a), (b), 409 (a) (1941).

§ 303 (f). "Make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations and to carry out the provisions of this chapter: *Provided, however,* That changes in the frequencies, authorized power, or in the times of operation of any station, shall not be made without the consent of the station licensee unless, after a public hearing, the Commission shall determine that such changes will promote public convenience or interest or will serve public necessity, or the provisions of this chapter will be more fully complied with."

§ 309 (a). "If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."

§ 312 (a). "Any station license may be revoked for false statements either in the application or in the statement of fact which may be required by section 308 hereof, or because of conditions revealed by such statements of fact as may be required from time to time which would warrant the Commission in refusing to grant a license on an original application, or for failure to operate substantially as set forth in the license, or for violation of or failure to observe any of the restrictions and conditions of this chapter or of any regulation of the Commission authorized by this chapter or by a treaty ratified by the United States: *Provided, however,* That no such order of revocation shall take effect until fifteen days' notice in writing thereof, stating the cause for the proposed revocation, has been given to the licensee. Such licensee may make written application to the Commission at any time within said fifteen days for a hearing upon such order, and upon the filing of such written application said order of revocation shall stand suspended until the conclusion of the hearing conducted under such rules as the Commission may prescribe. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of revocation."

§ 312 (b) "Any station license after June 19, 1934, granted under the provisions of this chapter or the construction permit required hereby and after such date issued, may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this chapter or of any treaty ratified by the United States will be more fully complied with: *Provided, however,* That no such order of modification shall become final until the holder of such outstanding license or permit shall have been notified in writing of the proposed action and the grounds or reasons therefor and shall have been given reasonable opportunity to show cause why such an order of modification should not issue."

§ 409 (a). "Any member or examiner of the Commission, or the director of any division, when duly designated by the Commission for such purpose, may hold hearings, sign and issue subpenas, administer oaths, examine witnesses, and receive evidence at any place in the United States designated by the Commission; except that in the administration of sections 301-362 of this title an examiner may not be authorized to exercise such powers with respect to a matter involving (1) a change of policy by the Commission, (2) the revocation of a station license, (3) new devices or developments in radio, or (4) a new kind of use of frequencies. In all cases heard by an examiner the Commission shall hear oral arguments on request of either party."

Section 312 (a) (revocation), (b) (modification), on the other hand, deals primarily with rights of existing licensees. Hearing on notice is prescribed. When the question is modification *the licensee* must be given "reasonable opportunity to show cause" why the order should not issue. When it is revocation the hearing is to be "conducted under such rules as the Commission may prescribe." In contrast with Section 309 (a), Section 312 deals expressly and therefore primarily, not with applicants and their rights, but with licensees and their rights. Under the one applicants cannot be affected adversely without a hearing; under the other licensees cannot be so affected by revoking or modifying the license without a hearing. Neither section purports to make the hearing provided *ex parte* or to limit it in the one case to applicants, in the other to licensees. But neither purports to bring in others or give them a right to come in. Though others are not expressly excluded, the theory seems to be in each instance that the hearing is principally, though not necessarily exclusively, for the benefit of the applicant in the one case, of the licensee in the other. Neither section is designed on its face explicitly to take care of the situation where the interests of an applicant and an existing licensee or of two licensees clash or may do so.

Section 303 (f) is in terms, particularly of the proviso, much like Section 312 (a), (b), in that it provides expressly for public hearing concerning "changes in the frequencies, authorized power, or . . . times of operation," unless "the station licensee" consents to the change. It is not stated explicitly that he is entitled to notice and participation in the hearing, but that seems clearly implied from the provision for hearing and prohibition of these changes without it unless he consents. Furthermore, the section contains no explicit statement concerning notice to or participation by any other person. On its face therefore the provisions of Section 303 (f) concerning hearing and the licensee's participation are much like those of Section 312 (b) dealing with modification, though in terms they are not entirely identical.[12] In a broad sense both may be said to deal with modification and both to require hearing, unless the licensee affected consents to the change. This is true, notwithstanding Section 303 (f) in its principal grant of authority is, as is noted later, primarily a rule-making or "legislative" section, and the proviso is in one aspect a limitation upon the Commission's rule-making power.

But to regard Section 303 (f) as merely a duplicate or alternative provision to Section 312 (b), for protection of the licensee when his license is to be modified adversely, would make it practically superfluous. This would also ignore the primary clause and purpose of Section 303 (f), as well as the differences in express terms of the two sections.[13] The proviso is merely an incident or a limitation of the main provision, which is a grant of power to the Commission to "make such regulations *not inconsistent with law* as it may deem necessary *to prevent interference* between stations and to carry out the provisions of this Act." (Italics supplied) The principal concern of the section is interference, and the limitations of the proviso, including the requirement of hearing, relate to matters most likely to cause and most directly related to interference. In contrast with Sections 309 (a) and 312 (b), which are primarily one-party sections, Section 303 (f) deals with subject matter which necessarily involves at least two private parties in addition to the Commission, with the principal occasion for difference and dispute between or among them, namely, interference, and with the chief causes of this. The section is therefore basically a two-party or multiple-party section, not counting the Commission. This is true notwithstanding the primary clause is cast in terms of delegating rule-making power to the Commission concerning the subject matter. It is nevertheless multiple-party subject matter. The parties affected may be two or more existing stations, or they may be one or more such stations and an applicant or applicants for license. The section does not literally designate others than "the station licensee". But it necessarily contemplates, from the very nature of the subject matter, that others similarly situated will be similarly affected, and the only persons who may be so affected are other licensees and applicants.

In my judgment this fact is of paramount importance, for determining both what is meant by "changes in the frequencies, authorized power, . . . times of operation" and the nature and character of the hearing required, each a matter in fundamental dispute here. Conceding, as I think we may, that Sections 309 (a) and 312 (b) are primarily one-party sections, that is, they involve ordinarily one party in addition to the Commission itself, and the hearings they provide are chiefly, though not necessarily exclusively, for determining matters in the first instance between the Commission and an applicant in the one case and it and a licensee under prospect of having the terms of his license changed in the other, Section 303 (f) is from the outset no such one-sided matter. It is essentially one which from the start raises issues affecting not only the Commission, but also other persons who as among themselves are opposed in interest. The conflict is not, even in the initial stage, merely Commission-applicant, as in Section 309 (a), or Commission-licensee, as in Section 312 (b). It is Commission-licensee-applicant or Commission-licensee-licensee. It is three-way, and it may turn out to be adverse three ways.

In my opinion this paramount fact makes the hearing provided by Section 303 (f) an essentially different kind of hearing or stage in hearing from those provided and required by Sections 309 (a) and 312 (b). In the first place, it differentiates that hearing from the one provided by Section 312 (b) and prevents it from becoming a mere duplicate or alternative of the latter. If their issues, purposes and application were identical, there would be no need for two such explicit, and to some extent inconsistent, provisions for hearing. The mere fact that the modifications which might be involved in the hearing under Section 312 (b) are broader and more inclusive than those specified in Section 303 (f) does not explain the duplicate provision, since the latter includes the most important respects in which modification might be required under Section 312 (b). But beyond this, the two sections have or are likely to have entirely different consequences. Many of the modifications which may be proposed under Section 312 (b) relate to matters affecting only the Commission and the particular licensee, in other words, do not affect other licensees or applicants. They involve such things as equipment, observance of regulations in broadcasting, etc., essentially Commission-licensee issues and only such. Hence, in these cases, there would be no need for giving notice and right to participate to other persons. Consequently provision for such notice and participation was not included and the Section provides these protections only for the person necessarily and ordinarily affected, the licensee faced with possible modification of the terms of his license. It does not exclude others, but it gives them no right to come in at this stage. The Commission may permit them to do so in its discretion. But it is not required to admit them until it becomes apparent their rights also may be affected.

It would be a very strange thing, however, for Congress to insist upon notice and hearing when the issues lie merely between the Commission and one party, whether applicant or licensee, and to ignore entirely or fail to make similar provision in the much more highly controversial three-party situation. It would be even more strange for it to guarantee these safeguards to one of the parties in the latter situation, as against both the Commission and the other party interested, but deny it to the latter or leave his right to be heard entirely within the Commission's unlimited discretion, especially when he is or may be the only one adversely affected. In my opinion Congress did neither. Framing Sections 309 (a) and 312 primarily for one-way conflicts, it left the more complex multiple-party situation to be dealt with by Section 303 (f). And in doing so, while it gave the Commission large discretion and rule-making power, it provided specifically for public hearing upon proposed changes relating to the most important causes of interference and of conflict and dispute between licensees or between them and applicants. This section therefore is distinguishable from Sections 309 (a) and 312 (b), in necessarily bringing together from the start the private parties with clashing interests, as well as the Commission with which each may be at odds, and in providing a hearing for disposition of these issues. Congress, in providing for this hearing, did not intend only one of the affected parties to have notice and be heard.[14]

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[12] Section 312 (b) is cast in terms of notice and "to show cause," specifying that notice be given the operator whose license is to be modified. Section 303 (f) has no express provision for notice and merely requires "public hearing" when "the station licensee" does not consent to the proposed change. Section 303 (f) also deals only with "changes in the frequencies, authorized power, or . . . times of operation," not broadly with *modification* of station *license*, as does Section 312 (b). Section 303 (f) is not limited in terms to changes made *in the license* itself, while Section 312 (b) is so limited in its terms.

[13] See note 11 *supra*, and *circa* note 12 *supra*.

The section is not aptly drawn, particularly in the language which provides for the hearing. But only superficial reading would lead to the conclusion that only one of the interested parties is given right to a hearing. Literally read, the section merely requires a hearing if the changes specified are to be made "without the consent of the station licensee." There is no provision, as there is in Sections 309 (a) and 312 (a), (b), for notice or for any specified person to be heard. As has been said, it is only by implication from the condition of "the station licensee's" failure to consent to the proposed change that his protections in these respects can be found within the section's terms. So much, however, is necessary, unless the "public hearing" is to be one at which no one but the Commission would have the right to appear and participate.

What is more important, the section does not in terms identify the "station licensee" whose consent is required if hearing is dispensed with and who, by implication, is entitled to hearing if he does not consent. Presumably, though by inference, he is or may be the licensee in the terms of whose license some change is proposed. But the section does not say this explicitly. In this respect also it differs in terms from Section 312 (b). The latter relates expressly to modification of "station license," and prohibits making the order until "the holder of such outstanding license" is given notice and hearing. No such explicit terms appear in Section 303 (f). It nowhere mentions "station license" or "modification" of license. It does refer to "station licensee," but in no way, except by possible implication, does it identify him as the "holder of the outstanding license" which is to be "modified" in terms, or exclude the licensee whose operations may be more seriously affected, even destroyed by favorable changes made in another operator's license. In short, section 303 (f) is drawn in different terms and, in my opinion, for different purposes, from Section 312 (a), (b). Literally the hearing provision relates to "changes in frequencies, authorized power, or . . . times of operation," not to "modification" of outstanding licenses. Literally also it requires the consent "of the station licensee," if the change is made without hearing, and hearing if such consent is not given. But it does not specify whether the licensee is one in the terms of whose license a change is to be made or one only affected by a change made in another's license or by granting a new application. This further narrows the crucial issue. The Commission asserts the only person entitled to hearing under Section 303 (f) is the station licensee in whose license the change is made. Hence, in its view, KOA had no right under the section to be heard, since there was no change in its license and it continued free to operate on the same frequency, power and time after WHDH's application was granted as before. This view is presented with vigor and combated with equal force. Much of the argument revolved pedantically about the difference between "in" and "of," that is, whether "change *in* frequency" means "change *of* frequency," as if the two forms might not mean the same thing and that as well what the one as what the other asserts. The controlling principles of construction are greater than prepositional hairsplittings.

The Commission's interpretation, though possible upon the language, would ignore the fundamental character of the subject matter and of the controversies as well as the conflict of interests; make the section's provision for hearing one-sided; exclude one of the private parties interested and, in some instances, as in this case, the only one adversely affected; make the section a merely narrower duplicate of Section 312 (b), without taking account of their differences in terms, purposes and ordinarily applicable situations; and, finally, so construed, there would be serious question concerning the Section's validity. That construction would create the incongruous situation that an applicant for a license and a licensee facing literal "modification" would be entitled by the terms of the Act to hearing before adverse action, but a licensee equally or more seriously "affected" by the granting of another's application or changing another's license favorably would have no right to be heard except in the Commission's discretion. Logically this would be true, notwithstanding the interference thus created might blot out the "affected" station's operations. In this view a commercial station could wipe out a nonprofit one completely by licensed interference and, under the Commission's argument that financial injury is the only basis for appeal, the latter would have no right to be heard before either the Commission or the courts. If the injured station were also a commercial one and could show financial injury, it could appeal, but would have no right to be heard before the Commission. If it could not show financial injury, it would be in the same boat with the nonprofit station.

Such a construction would run contrary to the policy of every other provision for hearing in the Act. Not only in Section 303 (f) itself, but in Sections 309 (a) and 312 (a), (b), the statute dispenses with hearing when the action to be taken is *favorable* to the person, whether applicant or licensee, whose interests are directly and immediately involved. It is zealous to provide for hearing when the decision is or may be adverse to him. Yet, in this situation, KOA is the only station adversely affected. The action is favorable to WHDH. It was merely an applicant. KOA was an existing station. As between the two, if either was entitled to the greater protection, it would seem to be KOA. If the action taken or proposed had been adverse to WHDH, it had a statutory right to hearing, and in fact the Commission respected it. Yet when it reached the point of proposed decision in WHDH's favor and adverse to KOA, it denied that the latter had any right to hearing, whether statutory or constitutional. This perverts the hearing policy of the Act. That is to dispense with hearing when decision is favorable to the one affected, to require it when it is adverse. Section 303 (f) is no exception. It does not specify in terms who shall be heard or have notice. But it provides for public hearing when the "station licensee" does not consent to the proposed change in frequency, power, or time. It does not say "the licensee whose license is modified in terms." Unquestionably it includes him. But he is amply protected by Section 312 (b). Whether he or the other station or stations affected will be injured depends, not on the mere fact his license is altered, but on *how* it is changed, whether favorably to him or to the others. The Commission's view posits the right to hearing, not upon the question who is hurt or likely to be hurt, as do the other sections, but upon whose letter of license is altered or likely to be changed. It ignores realities, effects and consequences in favor of the formal and literal nature of the change. "The letter killeth; the spirit keepeth alive." Section 303 (f) does not in terms exclude the station licensee who is injured by changes favorable to other licensees or applicants. Such licensees may be the only persons injured or adversely affected by the action. In such a case (and this is one), to posit hearing upon the want of consent of the licensee in whose favor the decision is made would be to deprive the only person injured or capable of being injured, and through him the public he serves, of the right to be heard. Such a view would pervert the section into an instrument for suppressing all protest by the only person hurt or likely to be hurt, except possibly as he might raise his voice on appeal, and then only, in the Commission's view, to be met with the answer that he has no right to be heard before it. It would suppress also representation of the public interest which it is the primary purpose of the statute to protect and secure.

In my judgment therefore Section 303 (f) cannot be given the narrow construction, merely duplicating the function and purpose of Section 312 (b), for which the Commission and WHDH contend. In addition to its obvious injustice, contradiction of the statute's general hearing policy, failure to take account of the differences of the two sections in language, subject matter and character of the controversies dealt with, the Commission's view refuses to recognize that the fact of interference rather than mere literal change in the terms of a license is what causes harm and chaos to stations affected, to the industry, and to the public. If accepted, it would also raise serious question concerning the section's validity, both for want of essential minima of procedural due process in some opportunity to be heard as of right and for want of essential fair play in favoring one interested party unduly as against another. Neither preservation of the public interest nor of the Commission's broad power and discretion to conduct its functions in disposing of the public's business requires acceptance of an interpretation so doubtful and unfair.

The foregoing views necessarily contemplate that the hearing provided by Section 303 (f), under the proviso, has in such an application as this "quasi-judicial" rather than merely "legislative" effect. That is true, in my opinion, notwithstanding the Section's principal grant of power is to make rules. In such an application as this, the making of rules relating to the defined changes necessarily affects existing rights by changing them, and that is as true as if the change were made by order rather than by rule.

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[14] This view derives some support also from the provisions of Section 409(a), note 11 *supra*, that "In all cases heard by an examiner, the Commission *shall* hear oral arguments on request *of either party*," explicitly recognizing the right of more than one person to be a party. (Italics supplied.)

When such an effect is achieved, whether by the one form of action or the other, the ordinary distinction between "quasi-legislative" and "quasi-judicial" action gives way before the elementary requirement that rights be not destroyed or impaired without hearing. The proviso requires hearing whether the change is in form "legislative" or "judicial."

B. The Regulations and Their Application

It remains to consider whether the regulations, as they have been applied, have violated appellant's right to a hearing. The construction given above to Section 303 (f) does not mean that every licensee who may be in some way, however minutely or remotely, affected by the change or who may consider or surmise that he will be affected, is entitled to a hearing or that the hearing must be a full-panoplied judicial proceeding. Further questions therefore are: (1) What interest or injury must an affected licensee have, and how must this be disclosed, in order for him to assert the right to hearing; (2) what is meant by hearing; (3) when does the right arise and when may it properly be asserted?

Interference may affect only a few stations or many. With frequencies crowded as they are, a change in the frequency, power or time of one station may affect dozens, possibly hundreds of others, some seriously, some only slightly. Expedition of the Commission's functions requires that hearings not become radio conventions or terminable trials like some receivership proceedings. There must therefore be some limit to the number of persons entitled to participate as parties and to the extent to which those so entitled may take part.

Apart from applicants and licensees faced with modification or revocation of license, the statute makes no express provision for determining who may be necessary parties, whether by right of intervention or as persons entitled to notice and party status from the inception of the hearing. With the two stated exceptions, the Commission has treated the matter as one of intervention under rules prescribing the basis upon which "affected" stations and others may come in. Under its former regulation, Rule 105.19, Rules and Regulations (1935), disclosure of "a substantial interest in the subject matter" was sufficient. This proved unsatisfactory[15] and has been revised to add the requirement that the petition also show "the facts on which the petitioner bases his claim that his intervention will be in the public interest." Rules and Regulations (1939), Section 1.102.

The two regulations are alike in excluding persons who cannot show substantial interest. There would seem to be no valid objection to this. Participation as parties of persons only insubstantially or remotely interested or affected is not necessary for protection of either private right or public interest. Exclusion of such persons from participation as of right is necessary for efficient conduct of the Commission's functions and to keep the hearings within manageable bounds.

Affirmatively, however, the two rules operate differently. The practical effect of the old one (Rule 105.19) was that affected licensees became parties upon disclosing in the petition "substantial interest in the subject matter." Upon this showing, intervention became a matter of right. So effective, the rule may be taken as having complied with the implicit requirements of Section 303 (f). *Red River Broadcasting Co.* v. *F. C. C.*, 69 App. D. C. 1, 98 F. (2d) 262 (1938). Persons substantially affected by action proposed under that section had the right to come in. That it was exercised nominally as a process of intervention, by filing a petition showing the nature of their interest, rather than by receiving notice and being regarded as parties from the outset, was no more than a reasonable concession to the Commission's difficulty of ascertaining in advance who might be sufficiently interested and of confining the hearing within reasonable bounds. *Red River Broadcasting Co.* v. *F. C. C., supra.*

The new rule (Section 1.102), however, excludes persons substantially interested, including existing licensees "affected," unless the petition states facts to show their "intervention will be in the public interest." The intended purpose was to cut down the number participating under the old rule.[16] The language of the new requirement is ambiguous. If by it were meant that the intervenor must show that the public interest is tied up substantially with his private one, so that in the hearing he would be champion for both, perhaps the analogy to the conditions necessary for appeal, as stated in the *Sanders* case, would sustain the further limitation.

The rule, however, has not been so applied. The Commission has not interpreted it as calling merely for a statement of specific facts to show that the public interest is involved in the petitioner's operations, will be affected substantially and adversely by the change proposed, and consequently that the petitioner's participation will be in championship of both its own and the public interest. Rather as counsel have stated the matter in the brief, the decisions denying appellant's right to intervene were "not based on appellant's lack of interest. The Commission held that whether or not appellant had a sufficient interest, it should not be permitted to intervene because it failed to show *how its participation in the hearing* would be *of any assistance in the determination of the issues involved.*" Referring to the practice under the former rule (Rule 105.19), it is also said that procedure "was abolished because it made impossible an efficient administration of the Act." And again, "It thus became apparent that interest alone was an insufficient test for intervention. . . . Virtually every application involves many persons who claim to be interested. . . . Most such applications are for facilities in a community which already has one or more stations which may be fearful of the petition . . . or are for facilities which cause electrical interference to existing stations. In many situations both factors combine to increase the number of potentially interested persons. . . . In practically every instance the persons who claim interest in the proceedings are existing licensees whose private interests are promoted by protracted proceedings which delay as long as possible the establishment of competing facilities. In view of these facts there is no wonder that the old intervention rule did not conduce 'to the proper dispatch of business and to the ends of justice'."

So applied, the rule comes down at best to one of efficiency, without controlling regard to interest, public or private, or how far it may be affected; at worst to one of mere convenience to the Commission in performing its functions. That this is the meaning and effect of the rule, as it has been applied, appears not only from the argument and the briefs, but also from the Commission's key decision in support of this policy, ***In re Application of Hazelwood, Inc.*** (Docket 5698), from the undue reliance placed in argument upon the breadth of the Commission's discretion and rule-making power, and from the action taken in this case.

A rule which posits the basic right of hearing exclusively upon mere convenience to the Commission or whether the petitioner's participation "will be of assistance to it in determining the issues," leaving this to be determined solely in its discretion, is not reasonable. It is a denial of any right to hearing. That it may be inconvenient or time-consuming for such a body to hear persons substantially interested and affected, or that, in the Commission's exclusive discretion, they may not be able to aid it, furnishes no basis for refusal to hear their side of the case, whether on the facts or the law. Efficiency is not to be bought at such a price to essential fairness *Cf.* Brandeis, J., dissenting in *Myers* v. *United States,* 272 U. S. 52, 240 (1926). If therefore the rule has been applied to appellant in this manner and with this effect, it has cause for complaint. Whether it has been so applied and with such consequence is the remaining question.

Upon that, the facts are important, as are also the questions whether appellant disclosed its own and the public interest and the affectation of both sufficiently. Involved also is the question of what kind of hearing appellant was entitled to have.

In my opinion there was no improper denial of hearing prior to the denial of the second petition for intervention filed December 16, 1940, when the Commission gave notice to KOA and others of its *proposed* findings and conclusions favorable to granting WHDH's application. Until then it was wholly possible the application, filed under Section 309 (a), would be denied. Until that time the proceeding was, as has been pointed out, essentially a one-way matter, involving questions primarily and initially between the applicant and the Commission. It had been unable to decide from the application in favor of the applicant. Accordingly, as the section required, it put the matter down for hearing and notified WHDH. It also gave notice to others who might be affected, including KOA, though the section did not in terms require this. Appellant then petitioned for intervention and the petition was denied, as were a petition to review this action and a motion by appellant to dismiss the application on the ground it did not conform to the rules. In none of this was there abuse of the Commission's powers or discretion or violation of appellant's statutory or constitutional rights. In this initial stage the burden was upon the applicant to convince the Commission *prima facie* that granting its application would be in the public interest. The very fact the matter was set for hearing was a tentative indication the decision would be adverse to the applicant.[17] WHDH had therefore the laboring oar. Unless and until it convinced the Commission there was apparently valid ground, at least a *prima facie* case, for granting the application, no harm was done or could be done to other stations. Hence, until it appeared from this initial stage of the total administrative process that some harm to KOA and others similarly situated possibly or probably would result, there was no essential reason either in due process or in the provisions of Sections 309 (a) and 303 (f) for bringing them in. Until then the Commission was entitled in its discretion, as Section 309 (a) contemplated, to treat the matter as one exclusively between itself and the applicant. So much by way of concession, not only to the terms and the general scheme of the statute, but also to efficiency in performing the Commission's functions, is reasonable.

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[15] See Monograph of the Attorney General's Committee on Administrative Procedure, Part 3, Federal Communications Commission (1940) 16 ff.. Gellhorn, Administrative Law—Cases and Comments (1940) 511.

[16] *Ibid.*

Concomitant with this view of the statute, however, is the requirement that the conclusions of law and fact reached by the Commission in the initial stage, concerning issues which might affect other parties substantially, should be tentative, not final and conclusive, if they were favorable to the applicant. This, in fact, appears to have been observed, since the findings and conclusions were issued as "proposed," not as final and decisive, and notice concerning the proposed action was given to affected persons.

At this point, however, the clash between the interests of KOA and WHDH, and their respective public constituencies, became apparent, with the possibility of the latter's success. WHDH had succeeded in discharging its initial burden. The necessary effect of action in its favor would be to create electrical interference with KOA and also to require its reclassification under the Commission's rules. At this stage, then, the matter had become one no longer primarily between WHDH and the Commission, but one primarily between them, on the one hand, and KOA and other stations adversely affected, on the other. Though the process initiated under Section 309 (a) would not become final and complete until conclusive decision had been made, the provisions of Section 303 (f) then first came compellingly into play, overlapping the final phase of the proceedings under Section 309 (a), and required that persons substantially and adversely affected by the proposed decision be given opportunity to present their side of the case.

At this point appellant filed its second petition for intervention, which was denied January 7, 1941. However, the order permitted it to file a brief *amicus curiae*. It did so and participated in this character in the oral argument upon the question of adopting the proposed findings. On March 27, 1941, the proposed findings and conclusions were adopted by a vote of three to two, with two Commissioners not participating. The members voting in the negative filed a vigorous dissenting opinion. 8 F. C. C. Rep. —— (1941). The decision became effective by formal order April 7, 1941. Appellant's petition for rehearing was then denied and this appeal followed.

In the final and decisive stage of the Commission's action, therefore, appellant was excluded as a party, notwithstanding it was permitted to file a brief and appear in oral argument as *amicus curiae*. Unless these concessions gave it all to which it was entitled by way of hearing, the exclusion cannot stand as justified. This is because the basis on which it was made was not valid. It is not necessary to regard Section 1.102 as invalid, since it may be possible to apply it with valid effect. However, the manner in which it has been applied generally and in this case is invalid, as being contrary both to Section 303 (f) of the Act and possibly also to elementary fair play required by due process.

Conceding appellant's interest, its substantial character, not denying its substantial relation to the public interest or that this as well as appellant's private interest might be adversely affected by the order, the Commission refused to recognize appellant as a party on the ground its petition did not disclose facts to show how its participation in the proceedings would be helpful to or would assist the Commission in deciding the issues. It then belied this action by announcing in the order of denial that appellant might file a brief as *amicus curiae*.

In view of the basis for the Commission's action, it is perhaps not necessary to inquire whether the petition, under some other rule or some other interpretation of the present one, would be sufficient. It was denied for an invalid reason, and that in itself is error sufficient to require reversal, unless its effects were cured by allowing appellant to appear as *amicus curiae*.

The petition, however, more than complied with the rule, apart from the invalid interpretation. It set forth petitioner's interest as a dominant clear channel station on the frequency 830 kc, with freedom from interference at night; that granting WHDH's application would cause electrical interference; require change in classification of KOA's frequency under the Commission's rules; result in degradation of service on frequency 830 kc prejudicial to the priority rights of the United States under the North American Regional Broadcast Agreement; discriminate against service to rural listeners and in favor of urban ones already well served; and stated other reasons not necessary to repeat. This admittedly was sufficient to show the substantial character of petitioner's interest, and in addition its substantial relation to the public interest, including service to rural areas, possible discrimination against them in favor of urban regions, and possible injury to the nation's priority rights under the international treaty, together with possible or probable substantial injury both to appellant privately and to the public interest. So much appearing, the petition complied in every respect with Section 1.102, except the construction that "intervention will be of assistance to the Commission in its own judgment" or "will be convenient for the Commission." The petition therefore complied with the rule in all its valid aspects, and should have been granted.

The Commission argues, however, that appellant was accorded in substance its full right to hearing, notwithstanding it was excluded as a party, because, first, it was allowed to file a brief and to appear in oral argument as *amicus curiae;* and, second, under Rule 1.195 appellant had, but failed to exercise, the right to present such evidence as it might choose to submit. Rule 1.195 provides for maintaining in the office of the secretary a record of all communications received relating to the merits of any application, together with the names and addresses of the senders. When the date for hearing is set, the secretary is required to notify these persons that they will have opportunity to appear and give evidence. Under the rule they are not precluded "from giving any relevant and competent testimony" because they lack "a sufficient interest to justify . . . intervention as a party. . . ." In view of these things the Commission says appellant had, but waived, full opportunity to present evidence, and had also full opportunity for argument, oral and written, upon the legal issues—thus, in effect, to appear upon both the facts and the law. It asserts therefore that appellant actually was deprived of no substantial right. This presents the final refinement of the issue.

Appellant claims too much. The petition, among other things, sought to "reopen the proceeding in order to afford petitioner an opportunity to introduce evidence, to cross-examine all witnesses, and otherwise participate fully in the proceedings; upon such record file proposed findings of fact and conclusions of law; have the right to file exceptions to any proposed Commission decision thereafter issued; request oral argument upon such proposed decisions and upon its exceptions thereto; in all respects participate fully in the important issues involved in the application" of WHDH. In short, appellant sought not only to participate as a party in the final and crucial stage of the process under Section 303 (f), but also to reopen, repeat and participate in the initial stage under Section 309 (a) as fully as would a party in judicial proceedings in equity with the rights to present evidence, cross-examine witnesses, including all who had been heard previously, take exceptions, submit findings, take part in argument, etc. Such a view of the proceedings would convert them essentially into a judicial trial in the final stage for reexamination *de novo,* so far as appellant might demand, of issues and matters presented in the initial one. In my judgment no such extensive right of participation is contemplated by Section 303 (f) or any other section, or is required by due process, and to enforce it would pervert the statutory scheme, convert the requirement of fair administrative hearing into one for a judicial procedure, and bring about a clogging of the Commission's work and functions inconsistent with their nature, complexity and due performance.

Both the Commission and appellant therefore have gone too far in their positions. On the one hand, appellant's right to hearing is not conditioned absolutely in the Commission's discretion, as it would be if limited to participation in argument as *amicus curiae* and in presenting facts under the provisions of Rule 1.195, applicable to all members of the public. Its right to participate is to do so at a matter of right, not of grace, and as a party. That is true, notwithstanding the extent of participation allowed as a matter of grace or discretion may be substantially or nearly identical with what the party is entitled to have as a matter of right. On the other hand, appellant is not entitled to a full-dress judicial proceeding or to dictate the extent of its participation, without regard to reasonable limitations which may be imposed by the Commission to achieve orderly and not unduly extended hearings. Some middle ground therefore must mark out the boundary between appellant's right and the Commission's power.

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[17] MONOGRAPH OF THE ATTORNEY GENERAL'S COMMITTEE ON ADMINISTRATIVE PROCEDURE, PART 3, FEDERAL COMMUNICATIONS COMMISSION (1940) 13.

It would be enough to dispose of the appeal that appellant was excluded from appearing as a matter of right and allowed limited participation as a matter of grace. But to do this, without more, would leave the further proceedings in doubt. Two problems must be distinguished, one the determination of appellant's right to participate, the other the extent of that right. The former is not a matter of discretion with the Commission. One in appellant's position must be heard upon issues such as this proceeding involved in the final stage, under Section 303 (f). But that right is not inconsistent with the Commission's requiring its existence to be shown by something more than mere general allegations that the holder is substantially interested, will be substantially affected, and that the public interest is involved and will be likewise affected. If this were all that could be required, practically everyone affected in any way, immediately or remotely, substantially or slightly, could come in at his option by alleging these generalities. On the other hand, it is not necessary to set forth the evidence which would be presented on the merits, nor would requiring this be reasonable. Between these two extremes a middle ground may be found to enable the Commission to determine that the interest and the injury, public and private, are substantial and real rather than insubstantial or visionary, and are substantially related. Perhaps an analogy can be taken from judicial proceedings in which findings of fact are required, in the distinctions which involve evidentiary facts, basic facts and ultimate facts.[18] There could be no undue limitation of the right to appear in requiring existence of the ultimate facts on which it is posited to be shown by statement of such basic facts, so that the Commission might be guided by something more than the vacuistic formulae of "substantial interest," "adversely affected," etc. So much at least would seem to be properly conceded, not to the Commission's discretion, but to the necessity that it be enabled to distinguish with reasonable certainty between persons entitled to come in as of right and others not so entitled but claiming this status on grounds insufficient once the actual facts of their situation become apparent. If at times there may be difficulty, as there is in judicial proceedings, in determining what are basic as distinguished from merely evidentiary facts, reasonable latitude toward including some of the more important of the latter will resolve it. The error if any should be made upon the side of stating more rather than less than may be actually necessary.

The other problem, involving the extent of the right to participate, is properly within the Commission's discretion under its broad rule-making power, reasonably exercised, beyond a few essential minima required by elementary notions of fair play. Neither the statute nor the Fifth Amendment prescribes specifically what these minima are. Nor has it been made clear by judicial decision what constitutes a minimum compliance with due process in the way of administrative hearing. Presumably this will vary to a considerable extent with the nature of the substantive right, the character and complexity of the issues, the kinds of evidence and factual material,[19] the particular body or official, and the administrative functions involved in the hearing. In other words, essential fairness of hearing bears some relation to these factors, but beyond certain, though very few, basic requirements which may be common to all fair hearings, the extent of participation by parties and others is a matter for regulation by statute or properly conferred rule-making authority.

The Communications Commission deals with highly technical and complex engineering and economic functions and relations, a highly organized and crowded industry serving primarily a public interest, but strongly affected with private incentive. Its functions are both regulatory and quasi-judicial. Its action in a single case often affects many persons, station licensees and others. Its hearings therefore tend to be many-party ones, in which each one appearing seeks as large a participation as possible. Often certain issues affect some, but not other parties. Yet once a party has come in, his tendency is to have a hand in all that goes on. Cross-examination especially lends itself to abuse in such a situation.[20] So does the opportunity to present expert testimony.[21] Consequently, in contrast with the fundamental right to come in, to be present as a party and be heard, much in the way of discretion must be conceded to the Commission in controlling the extent to which parties may be allowed to participate. The Commission's objective of keeping the hearings within manageable bounds is to be achieved, therefore, not as has been attempted by excluding persons who rightfully should come in, but by controlling through reasonable regulation the extent to which they may take part. As to this the Commission has and rightfully may exercise much authority in various specific ways.

The essential minima for fair hearing would seem to include a reasonable opportunity to present evidence concerning disputed issues of fact and argument upon issues of law affecting the party tendering them, and to do both as a party to the proceeding, not merely in the character of one present on sufferance or favor. In neither respect however does this mean, as appellant seems to think, that a party may require retracing all steps taken before the stage at which his right to come in arises or that he may wander throughout the record upon issues affecting other parties, but not himself substantially.[22] In this case, therefore, it does not mean, as appellant assumed, that it could require the entire proceedings prior to the time of its proper intervention to be reopened with right on its part to cross-examine all witnesses heard in the preliminary stage under Section 309 (a) and, apparently, in its discretion to compel reproduction of all testimony then produced. Such a view would force the Commission to incur the waste of holding the preliminary hearing upon the application under Section 309 (a) and then repeating all that had been done in it when it becomes apparent, from the proposed determination favorable to the applicant, that the final stage of hearing under Section 303 (f) must be gone through with in order to afford one in appellant's position his opportunity to be heard.

The statute contemplates no such wasteful process, and in my opinion due process does not require it. Adequate protection for appellant's rights can be secured without this, and in full consonance with the statutory scheme. It contemplates, as has been said, a preliminary hearing in which only the applicant is required to be present as a private party. It may become final, if the decision is adverse to him. If so, others affected will not be harmed, and their presence in this stage would only clutter the proceedings and the record. If not, then appellant's right to hearing arises under Section 303 (f). But nothing in the act or in the Constitution requires this to be entirely *de novo*. It is enough that it be adequate.[23] At the proper stage of intervention, the record in the preliminary hearing has been made. It may be made available to the intervenor. From the multiplicity of evidence and of issues it is not unfair to require him to specify, at least in a general way, the issues he proposes to meet, the evidence he wishes to contradict, and other matters concerning which he wishes to raise objection. This should be done with particularity, not merely by broadside charge against the entire previous proceedings. With the issues so self-limited, it will then be for the Commission to determine whether, in the exercise of its quasi-judicial discretion, the intervenor's participation should be further limited, in relation to the production of evidence, cross-examination, argument or other normal incidents of hearing. In this manner each party may be restricted fairly to the issues and participation pertinent to his case, rather than allowed to roam through the entire proceedings upon matters relevant to others, but not to himself or matters concerning which he has no objection. Perhaps a considerable part of such confinement may be accomplished by the issuance of appropriate general regulations. But whether by that method or by action in the particular case, the result may be achieved of affording the intervenor fair and adequate hearing, without at the same time permitting him to run away with the hearing, nullify all that has gone before the intervention, or unduly extend the hearing beyond what fair protection of his rights and the public interest may require.

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[18] Saginaw Broadcasting Co. v. F. C. C., 68 App. D. C. 282, 96 F. (2d) 554 (1938).

[19] See Davis, *The Requirement of Opportunity to be Heard in the Administrative Process* (1942) 51 YALE L. J. 1093, 1106, 1117.

[20] *Id.* at 1103. MONOGRAPH, *op. cit. supra* note 17, at 16, 17.

[21] Particularly when the agency has a body of technical experts, such as the Commission's engineering staff, competent to give disinterested expert opinion upon the technical issues or questions. See MONOGRAPH, *op. cit. supra* note 17, at 19.

[22] This seems implicit in the well-recognized rule that due process requirements are satisfied if at any time before governmental action becomes final, hearings are allowed either by administrative or judicial action, and therefore persons not directly or immediately affected in the initial stages of a hearing which involve primarily the interests of others may be excluded until a later phase when their interests become directly and immediately involved. See Davis, *op. cit. supra* note 19, at 1104, 1136-40, and authorities cited; MONOGRAPH, *op. cit. supra* note 17, at 20.

[23] *Ibid.*

It is not necessary to extend the discussion further. Appellant has shown sufficiently its right to come in. It should have been allowed to do so, as a party to the proceeding, not merely as a friend of the Commission or a member of the public. That is true, notwithstanding the extent of participation actually allowed may have been substantially all that a party was entitled to have, though by this statement it is not intimated that this was true. That question need not be determined. It is one thing to be present as a party, and as a matter of right. It is another to appear upon favor or by sufferance. It is still another to be heard in a particular fashion or at a particular time or stage.

Appellant's right arose, not when the preliminary proceedings upon the application were begun nor when the matter was set for hearing, nor thereafter prior to issuance of the "Proposed Findings of Fact and Conclusions"; but when these were issued. At that time, upon the showing made in appellant's petition, it should have been recognized as a party and allowed to participate thereafter on that basis.[24]

The extent of its right to participate, however, was largely within the discretion of the Commission, having due regard to the principles above stated. Appellant was not entitled as a matter of right to all of the relief demanded in its second petition to intervene or in the petition for rehearing, and upon another hearing may be required, in the Commission's reasonably exercised discretion, to confine itself as has been indicated, and to point out with reasonable particularity the portions and features of the previous proceedings it wishes to challenge.

This does not amount, in substance or effect, to acceptance of the Commission's view that appellant can be excluded for failure to set forth facts to show that its intervention will be of assistance to the Commission in deciding the issues. That factor is pertinent to the question how far appellant may participate, though perhaps not conclusive of it. It is not the criterion of the right to be heard. It may, in fact, have exactly the opposite effect, that is, the intervention may present facts or legal argument, contrary to those tentatively accepted by the Commission, which will make its decision more difficult. That is one purpose of hearing. Nor does this view posit the right to be present and to take part upon an exercise of the Commission's discretion or favor. With that right established, every other has protection, and if there is violation by some attempted exercise of discretion in any other respect it may be corrected, first by argument before the Commission itself, or if it is not corrected there, then by appeal.

Without attempting therefore to blueprint the procedure to be followed with respect to the extent of appellant's participation in another hearing, we may leave such matters to the Commission's judgment, where they properly belong, subject only to compliance with the basic requirements of fair play and adequate opportunity to be heard.

For the error in excluding appellant from participation as a party in the final and controversial stage of the proceeding, contrary to the requirement of Section 303 (f) of the Act, the order must be reversed, with directions to afford appellant opportunity for hearing in accordance with the provisions of that section.

Reversed and remanded.

GRONER, C. J., and VINSON, J.: Judges Groner and Vinson concur in the conclusion of Judge Rutledge that appellant has not only a right to appeal to this court under Section 402 (b) (2) of the Act, but also the right to intervene in the proceeding before the Commission. We are, therefore, in agreement with Judge Rutledge that the case should be reversed and remanded for further hearing.

In view of the importance of the principles involved, we consider it desirable, however, to set out in a word our separate views as to the meaning and effect of those Sections of the Act upon which we all agree the decision must turn.

We are in agreement with Judge Rutledge that under Section 303 (f) the Commission should have accorded appellant the right to participate in the hearing as a party. But we are also of opinion that, since in the facts of this case it is apparent that the granting of the application of the Matheson Radio Company, Inc., operators of Station WHDH at Boston, would result in what amounts, if substance be regarded rather than form, to a modification of appellant's license, Section 312 (b) of the Act also provides a right of participation by appellant in the proceedings under that application. While the question is no longer material here—since we assume that, in the present state of the record, the Commission will re-open the proceedings and permit the intervention of appellant as a party—we express our disagreement with the view of Judge Rutledge that the Commission, in its discretion, may exclude appellant from participation until after the proposed findings of fact have been made. It is our view that participation in the hearing, under either Section 303 (f) or Section 312 (b), should have been accorded both to appellant and to Matheson Company from the outset. It is true that Section 309 (a) appears to contemplate that if upon examination of an application for a station license, or the renewal or modification thereof, the Commission shall make a determination in favor of the application, it need not accord a hearing to the applicant. But we think, whatever the effect otherwise of this section may be, it is inapplicable in the facts of this case. Here the application of Matheson Company for an extension of its facilities is in effect an application, as we have said, the granting of which will, if substance be regarded, modify the license of appellant. In the circumstances, we think Section 312 (b) is applicable and that both appellant and the Matheson Company were entitled to participate in the proceedings as parties and with the rights of parties. We think the statute contemplates that a licensee's right, although limited and defeasible, shall not be modified or destroyed without a hearing. To allow a hearing only after proposed findings of fact have been made is to deprive appellant of participation during the crucial period of the proceeding—that is, when the evidence is being taken and the record being made up. Appellant's interest existed from the beginning, and it is not enough that that interest was considered by the Commission. It is axiomatic that one whose rights will be affected, not only may himself engage in their protection, but must do so affirmatively and at every step in the proceedings—or take the consequences of his default. *Red River Broadcasting Co.* v. *Federal Communications Commission,* 69 App. D. C. 1, 98 F. 2d 282. There was no default in this case.

STEPHENS, *Associate Justice:* I concur in the conclusion of Judge Rutledge that the appellant has not only a right to appeal to this court under § 402 (b) (2) of the Communications Act but that it had also the right to intervene in the proceeding before the Commission, and I am therefore in agreement with Judge Rutledge that the case should be reversed and remanded for further hearing. I am also in agreement with the views and conclusions expressed by Judges Groner and Vinson in their separate opinion. I desire to add the following:

I am aware that the provisions in the Communications Act for hearings speak *in terms* of licenses and rights which are undergoing alteration, suspension or revocation through direct action of the Commission thereon, and not *in terms* of the rights of existing licensees—such as those of the appellant—which will be impaired by the direct action of the Commission in extending the facilities of another licensee. But I think that by clear implication the safeguards of the Act operate for the benefit of such a licensee as the appellant. For it cannot be doubted that the modification—in the instant case the extension of facilities—of one license right may have the consequence of impairing, or even of destroying, the business of another licensee; this in practical effect is a modification or revocation of his license. A contrary view would regard form rather than substance. That the granting of new or additional station rights may have the consequence of impairing or destroying the business of an existing licensee is recognized in *Commission* v. *Sanders Radio Station,* 309 U. S. 470 (1940), where the Supreme Court, after stating that it is not the purpose of the Act to protect a licensee against competition but to protect the public, that Congress intended to leave competition in the business of broadcasting, stated also:

> This is not to say that the question of competition between a proposed station and one operating under an existing license is to be entirely disregarded by the Commission, and, indeed, the Commission's practice shows that it does not disregard that question. It may have a vital and important bearing upon the ability of the applicant adequately to serve his

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[24] This statement is not intended as meaning that adequate hearing might not have been afforded at a later stage, by appropriate regulation, as upon petition for rehearing. *Cf.* United States v. Illinois Central Ry., 291 U. S. 457 (1934); Comment, *Necessity for Hearing Before Enforcing Order of Interstate Commerce Commission* (1934) 43 YALE L. J. 1300; Davis, *op. cit. supra* note 19, at 1136-40.

> public; it may indicate that both stations—the existing and the proposed—will go under, with the result that a portion of the listening public will be left without adequate service; it may indicate that, by a division of the field, both stations will be compelled to render inadequate service. . . . [309 U. S. 475-6]

It is true that in the *Sanders* case the statement is made that the policy of the Act is that no person is to have "anything in the nature of a property right as a result of the granting of a license." But the opinion is that case also recognizes that station licensees may be financially injured by the issue of a license to a competing station. The language first quoted must be read in connection with the opinion as a whole and in connection with the utterances of the Supreme Court in *Federal Communications Commission* v. *Pottsville Broadcasting Co.*, 309 U. S. 134 (1940), and *Radio Commission* v. *Nelson Bros. Co.*, 289 U. S. 266 (1933). In the *Pottsville* case the Court said: "To be sure, the laws under which these [administrative] agencies operate prescribe the fundamentals of fair play. They require that interested parties be afforded an opportunity for hearing." In the *Nelson Bros.* case the Court said: "Whether the Commission applies the legislative standards validly set up, whether it acts within the authority conferred or goes beyond it, whether its proceedings satisfy the pertinent demands of due process, whether, in short, there is compliance with the legal requirements which fix the province of the Commission and govern its action, are appropriate questions for judicial decision." In view of the *Pottsville* and *Nelson Bros.* cases, and in view of the provisions of the Communications Act which recognize rights, limited in time and quality by the terms of the licenses issued, in station licensees (see especially §§ 301, 309 (b) (1), (2), 319 (b)), I think it clear that a station license issued under the Communications Act for a definite term for the conduct of a broadcasting business requiring substantial investment is more than a mere privilege or gratuity. Whether or not it may be technically called a property right, it is a thing of value to the person to whom it is issued and a business conducted under it may be the subject of injury. I think the Supreme Court in the *Sanders* case in its reference to the absence of "anything in the nature of a property right as a result of the granting of a license" was using the term property right in the sense of a right absolute or indefeasible. It is clear of course that under the Communications Act a station licensee's rights are subject to modification, or even to revocation, in the public interest. But I do not think the *Sanders* decision was intended to be taken as meaning that no right even of a limited and defeasible nature exists in a licensee. Nor do I think that the decision was intended to mean that an existing broadcasting station and the investment therein may be injured or destroyed by the introduction of competition or through the extension or modification of the facilities of other licensees *without a hearing before the Commission on the question whether the public interest, convenience and necessity will be served by such injury or destruction.*

Even if the Communications Act were doubtful in its recognition of the existence of rights in licensees and in its provision for hearings upon the question whether the public interest requires the reduction or destruction of such rights, I think it would be the duty of the courts to construe the Act as recognizing such rights and providing for such hearings—and this for two reasons. First, in the absence of indubitably clear language requiring such a conclusion, it would be unthinkable to conclude that the Congress would provide for the granting of station licenses for radio broadcasting contemplating, in connection with operating a station, investment in building space and equipment, the hiring of talent, the contracting for advertising, and the employment of labor, but at the same time fail to recognize that by whatever technical name they might be called, whether property rights or license rights, interests would arise, in the persons to whom licenses were granted, which should as a matter of fair play not be impaired or destroyed by the Communications Commission without a hearing upon the question whether the public interest would be served by their impairment or destruction. Right to a hearing before injury by the government in the public interest is one of the fundamental decencies guaranteed by democratic institutions. It is the safeguard of the Anglo-American legal system against arbitrary or capricious action by public authorities. No purpose should be attributed to Congress to deny such a right. Second, to construe doubtful language of Congress as permitting the impairment or destruction of a licensee's interests without a hearing would be to invalidate, under the due process clause of the Fifth Amendment, the action of Congress. That that clause protects against the arbitrary impairment or destruction of substantial rights even though they are limited by the public interest, is not open to doubt. *Cf. Northern Cedar Co.* v. *French*, 131 Wash. 394, 230 Pac. 837 (1924).

Mr. Justice Miller dissenting: I find no substantial allegation of injury in any of appellant's reasons for appeal. Surely it is not enough, to secure standing to appeal on the basis of affectation of interest or aggrievement, that electrical interference will occur beyond that previously occurring. Surely some injury, actual or anticipated, should be the minimum requirement. And if injury has occurred or is threatened, what other test or measure of its substantiality could there be than that it is financial?

In the *Sanders* case the Supreme Court said: "Congress had some purpose in enacting §402 (b) (2). It may have been of opinion that one likely to be *financially* injured by the issue of a license would be the *only person having a sufficient interest* to bring to the attention of the appellate court errors of law in the action of the Commission in granting the license."[1] [Italics supplied.] Of course, stated as it is in speculative form concerning legislative purpose, it is possible to argue that this language was not intended to say that *only* a person likely to be *financially* injured has a sufficient interest, within the meaning of Section 402 (b) (2). But I think that is exactly what the Supreme Court intended to say. As the Commission in its brief points out, the word financially, which I have italicized, was added after the opinion was first released.[2]

While intangibles such as prestige, or position, in the broadcasting world may seem valuable to a licensee, still they are unimportant—in view of that free competition which Congress intended should exist in the field of broadcasting—unless injury to them would result in financial injury. If, for example, loss of prestige should result in loss of advertising then, perhaps, a tangible injured interest would appear which would give standing to appeal. But if there is no interest, of such character, that it will reveal itself in terms of financial injury, then there is no sufficient interest to give standing to appeal.

This is true even of a licensee which is operating on a nonprofit basis, a college, a church, or a benevolent institution. Financial backing is required to maintain such a licensee. If the injury threatened, endangers that financial backing then the licensee may have standing to appeal; otherwise not. Where else could the line be drawn? Would it be sufficient that a Methodist organization was aggrieved by hearing Baptist doctrine preached in the same listening area; or that one college should be disturbed by the songs and cheers of a rival institution of learning?

It is apparent in the present case, therefore, that unless electrical interference was likely to result in financial injury appellant was not an aggrieved or affected person within the meaning of the statute. And if financial injury was likely to result, the licensee could have spelled out that fact in his reasons for appeal. It imposes no undue burden upon one who seeks judicial review of the Commission's decision, to require that he specify clearly, unequivocally, precisely, the nature of his alleged injury. This, appellant has failed to do.[3] Consequently, I would dismiss the appeal.

Edgerton, J., dissenting: I think that "person aggrieved or whose interests are adversely affected" contemplates a substantial injury as distinguished from a trifling or negligible one. I should suppose that interference *might* affect reception of KOA's signal so adversely, and over so large and important an area, as to cause substantial injury and give appellant standing to appeal, whether or not it caused financial loss. But interference is an elastic term; it may be of any degree. Some interference is minimal and practically harmless. Appellant's notice of appeal, though it alleges "substantial modification" of its license, alleges neither substantial injury nor any facts which constitute substantial injury. It alleges nothing more injurious than "interference to KOA in areas where KOA's signal is now interference free." This allegation would be supported if it were shown that in some small area, thousands of miles from Denver, and of no actual or potential importance to appellant, a few listeners could and did at rare intervals get, without interference, a feeble signal from KOA, and that their reception of that signal would be made a little worse by WHDH's modification. I think such an allegation would not show standing to appeal. Since appellant's actual allegation may mean no more, we can accept it as showing standing to appeal only if we waive the rule that pleadings are to be construed against the pleader.

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[1] Federal Communications Commission v. Sanders Brothers Radio Station, 309 U. S. 470, 477.

[2] See Federal Communications Commission v. Sanders Brothers Radio Station, 309 U. S. 642.

[3] Stuart v. Federal Communications Commission, 70 App. D. C. 265, 267, 105 F. (2d) 788, 790; Perkins v. Lukens Steel Co., 310 U. S. 113, 125: "Nor can respondents vindicate any general interest which the public may have in the construction of the Act by the Secretary and which must be left to the political process. Respondents, to have standing in court, must show an injury or threat to a particular right of their own, as distinguished from the public's interest in the administration of the law."

If we take that step, I think we should affirm. I find nothing in the Communications Act which required the Commission to give appellant a hearing; quite the contrary. Yet the Commission gave appellant a hearing. It violated neither the Act nor due process.

The Commission was asked to and did modify the license of WHDH. Sec. 309 (a) of the Communications Act provides in effect that the Commission may grant, though it may not deny, an application for modification without a hearing. Most modifications of licenses affect other licensees, and Congress might easily have required that other licensees who stand to lose be given a hearing. It did not. So far as the Act is concerned, therefore, no hearing was necessary. True, Sec. 303 (f) requires that the licensee of a station be given a hearing if the Commission is to change that station's "frequencies, authorized power, or . . . times of operation." But that section is not applicable here, since neither the frequency, the power, nor the time of KOA, appellant's station, is being changed. Similarly, Sec. 312 (b) forbids "modification" of a license without opportunity to the licensee to show cause why the license should not be modified; but that section is not applicable, since appellant's license is not being modified in any particular.[1] Its license merely authorized it to operate with specified equipment, frequency, power, and time, and still authorizes it to operate with the same equipment, frequency, power, and time. To say that appellant's frequency or its license is being "changed" or "modified" seems to me an inapposite figure of speech. It is true that the Commission's rules, until they were changed in the course of these proceedings, stated that only one Class I station "will be assigned" to the frequency of 850 kilocycles. But that statement of the Commission's purpose or policy was not incorporated, or referred to, in appellant's license. Therefore the license cannot, unless by a most liberal construction, be regarded as intended to make any exclusive grant to appellant, whether of equipment, frequency, power or time. Appellant's license is no more exclusive in respect to frequency, power, and time than in respect to equipment. And the settled rule requires not a liberal but a strict construction of franchises and licenses.[2] Moreover, Section 301 of the Act provides that "no . . . license shall be construed to create any right, beyond the terms, conditions, and periods of the license," and the Supreme Court has said: "The policy of the Act is clear that no person is to have anything in the nature of a property right as a result of the granting of a license. Licenses are limited to a maximum of three years' duration, may be revoked, and need not be renewed. Thus the channels presently occupied remain free for a new assignment to another licensee in the interest of the listening public."[3]

The Constitution does not, in my opinion, give appellant a right to a full hearing, of the trial type, in the proceedings before the Commission. In the absence of statute, licensing authorities are usually under no duty to give any sort of hearing to license holders before changing rules which affect the value of licenses.[4] Appellant's case is somewhat similar to that of a licensed automobile operator who hould demand that he be given a hearing before the speed limits are reduced. It is stronger in one respect; for appellant is, and the particular automobile operator is not, more likely than anyone else to be affected by the change proposed. But it is weaker in another respect; for appellant is not, and the automobile operator is, forbidden to do after the change what he was free to do before the change. Only the consequences of appellant's activities, and not the activities themselves, are affected by the change which the Commission has made in the license of WHDH. Appellant is in substantially the same position as the owner of a licensed garage or liquor store who is subjected to new competition by the licensing of a similar business nearer his own than would have been possible under the regulations which were in force when his own license was issued.

It may be that appellant was, as a matter of due process, entitled to some sort of hearing. The Commission's proceedings had a fact-finding aspect, and were more likely to affect appellant's interests than those of any other person. But appellant was not entitled to a hearing which should include "the incidents of a trial in court."[5] Persons may be "heard" without being "permitted to intervene, and thus become parties."[6] Appellant was entitled to no more than a hearing reasonably adequate to protect its interests and reasonably practicable for the Commission and the public; in other words, to a fair opportunity to bring its facts and arguments to the Commission's attention.[7] It had such a hearing—whether of right or of grace we need not inquire. Pursuant to the Commission's Rule 1.195, it was given an opportunity to appear and present evidence. It chose not to do so. It was permitted to, and did, file a brief and make oral argument. Nothing more was required. It was not formally a party, and some aspects of a trial at law, including opportunity for cross-examination, may have been absent. To rule, as the majority of the court in effect do, that the Commission's action was therefore erroneous, is to cramp the administrative process by forcing it into the very mold which it is designed to avoid.[8] Since the Commission had to decide primarily a question of policy and only incidentally a question of fact, the technique of a trial would have been clumsy and wasteful.[9]

Programs for Victory

Col. Marriner to Urge Radio Courses

In an effort to increase the number of ESMWT-NAB courses in the Fundamentals of Radio, Col. A. W. Marriner, Director of Communications, Army Air Forces, is to communicate with all qualified schools urging them to give such training.

This follows letters to state schools by broadcasters, which pointed out that tens of thousands of radio technicians were urgently required.

Burton Writes 24 Schools

Thanks are extended to the many station managers who have written educational institutions regarding the necessity for the training of tens of thousands of radio technicians.

The longest single list of educational institutions receiving letters from an individual writer has been sent by D. A. Burton, owner, WLBC, Muncie, Ind.

His list of Indiana institutions included twenty-four—liberal arts colleges, Teachers colleges, and Engineering schools.

Request to write schools was made on page 531 of the NAB Reports of September 4 and on page 540 of the September 11 issue. If you have not written in accordance with the September 4 and 11 requests, we sincerely believe that it will help the war effort if you will do so.

"What Can I Do" Is Going Well

Serving as an object lesson to young and old is a letter written by an 84-year-old lady, Mrs. Mary S. Dodge, Boston, Mass., in response to hearing one of the "What Can I Do" announcements over WMEX, Boston.

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[1] Sec. 303, including (f), deals in a summary way with the "powers and duties of Commission." Sec. 312, including (b), deals in a detailed way with "revocation and modification" of licenses and with "notice and hearing."

[2] Detroit United Railway v. City of Detroit, 229 U. S. 39; Piedmont Power & Light Co. v. Town of Graham, 253 U. S. 193.

[3] Federal Communications Commission v. Sanders Bros. Radio Station, 309 U. S. 470, 475.

[4] *Cf.* Lacquer & Chemical Corp. v. Mills, 22 F. 2d 697 (D. C. E. D. N. Y.); *affirmed*, 22 F. 2d 700 (C. C. A. 2); *certiorari denied*, 276 U. S. 617.

[5] Norwegian Nitrogen Products Co. v. United States, 288 U. S. 294, 316, 317.

[6] The Chicago Junction Case, 264 U. S. 258, 268. "The 'hearing' is the hearing of evidence and argument." Morgan v. United States, 298 U. S 468, 480.

[7] When an importer has contested the valuation of his goods by the customs service, and exercises his right to have them valued by appraisers, the question "is not to be tried before the appraisers as if it were an issue in a suit in a judicial tribunal." Auffmordt v. Hedden, 137 U. S. 310, 323. If he "is afforded such notice and hearing as enables him to give his views and make his contention in respect of the value of his goods, he cannot complain." Criget v. Hedden, 155 U. S. 228, 238.

[8] *Cf.* Federal Communications Commission v. Pottsville Broadcasting Co., 309 U. S. 134.

[9] *Cf.* Davis, The Requirement of Opportunity to be Heard in the Administrative Process, 51 Yale L. J. 1093, 1098.

Appellant could have had a hearing of the trial type if it had chosen to comply with the Commission's rule regarding petitions to intervene.

After requesting a copy of the book Mrs. Dodge wrote: "I know there must be something I could do. I am 84 years old and not as able to do as I did in the last war, but how I wish I could find something. My sight is going fast but I have been told not to give up doing all I can. Not to rest my eyes as the backs of them are hardening. Do you think I am too old to have my blood given for future use?"

BOSTON

W. S. Pote, WMEX Director, wrote that 15 to 18 announcements per day is producing a "ton" of mail.

That kind of promotion throughout the country should get rid of ten million books in short order.

VISALIA

And on the Pacific Coast comes word from Charles Niete, defense reporter, KTKC, Visalia, Calif., that "What Can I Do" is exactly what we have been looking for."

WEST PALM BEACH

WJNO, West Palm Beach, Florida, has put its first special promotion behind the distribution of WHAT CAN I DO by arranging for a complete discussion of the booklet on "Forum of Civic Progress" show.

Mayor J. O. Bowen, vice chairman of the Palm Beach County Defense Council, launched the promotion.

Since the distribution of these books is distinctly a sales job which stations themselves know how to do best, there has been released only a very small quantity of promotion material from Washington.

The only seeming possibility of running into temporary difficulty is through exhaustion of supplies of copies of "What Can I Do". But this can be overcome almost instantly by having the local Civilian Defense Council communicate with the State Office. Books are printed and stacked in Chicago, awaiting orders.

Mass Induction in 2 Florida Cities

Norman McKay of WQAM, Miami, and Larry Roller of WJNO, West Palm Beach, have completed arrangements for a joint program of a mass induction service taking place in both cities. The program is scheduled for today 5:15 to 5:45 P. M. Mayor C. H. Reeder of Miami, Captain H. H. J. Benson, Chief of Staff, Seventh Naval District, the American Legion Band, and Mayor J. O. Bowen of West Palm Beach will participate.

KMBC Collects Million Pounds Scrap

More than one million pounds of scrap metal were collected in KMBC's $200 "Scrap Metal Collection Contest." Contestants' poundage was proven by receipts from junk dealers. Here are the prize winners together with the amounts of their collection:

Troop 240, Harrisonville, Missouri, collected 59,590 pounds of scrap. Won first prize of $50 in Boy Scouts contest.

Troop 120, Kansas City, Missouri, collected 38,515 pounds and won second prize of $25. Patrol leader Tom Erwin of this troop personally collected 9,500 pounds of scrap and iron and won $25 for the job.

Powhattan 4-H Club, of Browne County, Kansas, collected 190,465 pounds of scrap and took first place in the contest arranged for Future Farmers and 4-H boys and girls. Received $50 in prize money. Second place and $25 went to Lexington, Missouri, Future Farmers chapter. This chapter collected 91,444 pounds.

The individual award of $25 for the farm youth turning in the most scrap metal went to Walter Skinner, Fairview, Kansas, FFA Chapter, who collected 19,880 pounds.

Sell $157,000 Bonds in Hour

It looks as if Jack Mitchell of KTSA staff, San Antonio, has set up some kind of record in selling War Bonds.

Lew Lacey, station promotion director, is authority for the statement that "Mitchell sold $157,000 in Bonds to an audience of 2,500 in less than one hour's time and without any advance commitments of any kind."

This occurred during a special showing of "Wake Island" and in assisting the local picture industry.

Total bond sales for the evening were $309,000.

WHO Sells $400,225 in Bonds

A red, white and blue membership certificate in WHO's U. S. War Savings Bond Club, for pasting on windows of members, was received at NAB headquarters this week. Woody Woods, WHO, director of public relations, said that sales through September 12, 1942, were $400,225.

WCBI Sells $10,000 in Bonds

During a short campaign over WCBI, Columbus, Miss., staff announcers sold $10,000 worth of bonds, according to General Manager Bob McRaney.

Announcer Billy Shackleford topped all participating announcers in the campaign by selling $4,000 worth of bonds.

As first place winner he was presented with a $25 bond by the Chairman of the Lowndes County bond sales committee.

TREASURY SPOTS MAY BE SOLD

A folio of announcements which may be sponsored locally have been mailed all stations by the Treasury Department War Savings Staff.

They are known as the "Sponsored Authors Announcements," since each has been written by a nationally known writer.

Included in the list of eleven writers are:

Louis Bloomfield
Faith Baldwin
Granville Hicks
Walter D. Edmonds
Clyde Brion Davis
Hi Phillips
Dr. Charles Beard
Robert Ripley
Walter Duranty
Robert Nathan
Dale Carnegie

"GOD'S MINUTE"

W. C. Alcorn, Vice President and General Manager of WBNX, submits a most interesting program suggestion. It calls for a 1-minute program under the title, "God's Minute," to be broadcast each day from 11:59 a. m. to high noon. The individual station would enlist the cooperation of the clergy within the community and of prominent laymen to broadcast 1 minute of prayer, the prayer to be uttered in behalf of the safety of our boys in the service and the success of our military enterprise.

The title, "God's Minute," is a copyrighted one belonging to the John C. Winston Company, publishers of a book by that name. That Company has been kind enough to release the title for use by any radio station provided the program is not commercially sponsored and that no direct quotation from the book is made.

This is a program suggestion worthy of consideration of all station managers. If further details are desired, we shall be very glad to provide them.

Listener Activities

CLEVELAND COUNCIL REGIONAL CONFERENCE

The Radio Council of Greater Cleveland will hold its second regional conference on radio Thursday, September 24, at the

Higbee Co. Auditorium. The morning session will be devoted to discussion of children's programs. Miss Mary Grannan, Supervisor of Children's Programs of the Canadian Broadcasting Corporation and author of the "Just Mary" stories, will entertain the children with some of her inimitable stories. This will be followed by discussion by the children of various radio programs.

The afternoon session will be devoted to a series of talks as follows: "Through a Woman's Eyes," by Miss Sheela Carter, News Commentator of MBS; and "Radio's Responsibility to Children," by Miss Grannan.

Following the talks a series of conferences will be held as follows:

Producing Children's Radio Programs—Leader, Mrs. Frederick T. McGuire, Jr., Junior League.

"The Parent's Responsibility for Radio Listening"—Leader, Mrs. Keith Weigle, Director, Northeast District, Ohio Congress of Parents and Teachers.

The Radio Chairman's Job—Leader, Mrs. J. E. Reeb, Radio Chairman, Lakewood Council of Parents and Teachers.

Standards for Evaluating Radio for Children—Leader, Miss Margaret L. White, Supervisor of English, Cleveland Elementary Schools.

MINNESOTA RADIO COUNCIL MEETS

The Minnesota Radio Council opens its season on Friday, September 25th, at a one o'clock luncheon meeting at the Leamington Hotel ballroom, with a program planned to equip its membership for service, through radio, in the war effort.

Seven discussion leaders, among them Dorothy Lewis of New York, Coordinator of Listener Interests for the National Association of Broadcasters, will analyze the subject: "Radio as a Constructive Force in the World of Today and Tomorrow." E. W. Ziebarth, Director of the Minnesota School of the Air, will introduce the discussion leaders.

An unusual plan of program procedure, outlined by Mrs. Lewis, will enable every member attending the luncheon to participate in the program. Leaders will preside at individual tables and will base their contribution to the program on the respective group discussions. A hostess will be in charge of each table.

Discussion leaders and their subjects follow:

Dr. Raymond Chadwick, Hennepin Avenue Methodist Church, first vice president of the Minnesota Radio Council, "Religious Broadcasting Today and Tomorrow"; Joyce Gregory, Director of Radio for the Minneapolis Public Schools, "Children's Radio in War-time"; Dr. Tracy Tyler. Director of Radio in Education at the University of Minnesota, "Radio in Education"; Dr. E. A. Meyerding, Executive Secretary of the Minnesota Public Health Association, "Radio Education for Physical Fitness"; and Mrs. Wright Brooks, program chairman of the Minnesota Chapter of the American Association of University Women, "The Organization's Use of the Radio to Further the War Effort."

Mrs. Lewis will review the discussion and speak on "Radio Serves the Post-war Era."

FIRE PREVENTION WEEK—OCT. 4-10

All stations were mailed, this week, a folio on Fire Prevention Week which President Roosevelt has set by proclamation for the October 4-10 interval.

In the same proclamation the President called upon OCD to carry the ball in this year's celebration.

Two 15-minute transcribed shows are being mailed from Hollywood, while the rest of the material was contained in the envelope going to stations.

WHO AWARDS PALMER TROPHY

Don Radda of Washington, Iowa, set a new world record for tall corn when he exhibited a stalk towering 26 feet 10 inches in the sixth annual WHO National Tall Corn Sweepstakes, judged Saturday, Sept. 5.

Radda, who won the 1940 contest, broke the previous record made last year by Lawrence Flander, Harper, Iowa, with a stalk 23 feet 2½ inches tall. He received $100 in cash and the Col. B. J. Palmer Gold Trophy. More than 30 entries were made by farmers from all parts of Iowa and Illinois. WHO gave a total of $225 in cash awards and the Palmer Trophy.

100% INCREASE IN V-MAIL

For the part the broadcast industry played in boosting V-Mail almost 100% in the two weeks promotion campaign, congratulations were voiced this week by Lt. Col. E. M. Kirby, Chief Radio Branch, Bureau of Public Relations, War Department.

Maj. H. F. Ambrose, Army Postal Service, released the statistics. "For the week ending August 23, 1942," he said, "there was a total of 111,196 V-Mail letters dispatched on microfilm from this country. For the following week (August 24-August 30 inclusive) there was an increase of 32.9%, the total for the week being 147,660 V-Mail letters dispatched. For the week ended September 6, 1942, there was dispatched a total of 219,972 V-Mail letters, which represents an increase of 95.2% over the week immediately preceding the August 23 broadcast.

"Inasmuch as the full effect of the broadcast on the public would not be reflected in the writing of letters and the arrival of the same at points of embarkation on both coasts, it is believed that the latter period offers the best comparison.

FEDERAL COMMUNICATIONS COMMISSION

NO STATION SILENCING SOON, SAYS FLY

Silencing of any broadcast station is not an immediate prospect but the need for conservation of material is immediate. It is present and it is urgent, James Lawrence Fly, FCC Chairman told a press conference early this week.

"I cannot but feel some concern about the statements that have been made in places by subordinate officials as to what broadcast service is essential and what broadcast service is to be maintained," the chairman told the newsmen.

Continuing on this subject Mr. Fly said, "I think I can fairly say that you may safely disregard all such statements. I am confident that for a substantial period the means can and will be found to maintain all the present broadcast service, and in any case the substantial reduction of broadcast service is not to be decided by isolated subordinate officials. That raises a question of national public policy and it will be decided as a matter of national policy. I have every confidence that problems will be worked out and give industry the continuity and security which it deserves. As you know, different means have been suggested for the conservation of materials, and all of those will be considered by the Board of War Communications when it receives the recommendations of the Domestic Broadcast Committee."

The chairman said that the questionnaire on the broadcast station tube supply which was sent out to all the stations some time ago has received hearty cooperation from the industry. The returns are in and they have been tabulated and the report is now in the hands of the Domestic Broadcasting Committee. In connection with the tube questionnaire, Mr. Fly said, "The data provided by the report is really very helpful because it goes pretty thoroughly into the status of tube supply amongst all of the broadcasters and will afford a very substantial basis for such action as the Board may take or such recommendations as it will want to forward. Needless to say, tubes are consumable and in substantial quantities, and there is the crux of a pretty serious problem. However, it ought to be made clear that up to the present time the WPB has been able to supply all stations with the necessary tubes. I think there is no doubt from informal information which we have that they can continue to do that for a limited period—perhaps I should say for a substantial period if the conservation of materials is practiced judiciously. However, there is our big question mark—that is, the ability of WPB to make tubes available indefinitely. Military requirements are great."

The problem of manpower for the entire communications industry has been given extensive study and received the cooperative attention of the industry and of the various Government agencies concerned—Board of War Communications, War Manpower Commission, Selective Service, U. S. Employment Service. Mr. Fly said, "As you know, a questionnaire covering this field was sent out by the BWC to all companies, including wire, radio, and the communications companies in general. That information is coming in pretty good shape. The biggest companies have, of course, the most extensive job, but they will all be in very shortly, and when that information is received and broken down it will be referred to the respective committees of the BWC for their advice and recommendations. As you know, the problem of possible shortage and the rate of turnover, possibilities of recruiting the various training programs existing and those that may be possible, will be given consideration. I believe we will get some substantial and constructive results out of this whole study. The communications industry need not feel that this work will be slowed down."

AMATEUR LICENSES DISCONTINUED

The FCC by its Order No. 87-B adopted today, has discontinued the issuance of new, renewal, or modified amateur station licenses until further notice. This action has been taken in view of the many difficult administrative problems which have arisen in connection with the issuance of amateur station licenses as a result of the war. Inasmuch as many licensees are in the military services or engaged in war industries in various parts of the country, it is impossible for such station licensees to exercise proper control of transmitting apparatus and the control of the premises upon which such apparatus is located as required by the Rules and Regulations Governing Amateur Radio Stations and Operators.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 21. They are subject to change.

Monday, September 21

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—C. P., **610 kc.**, 5 KW night, 10 KW day, unlimited, DA-night and day.

Further Hearing

NEW—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Texas.—C. P., **1230 kc.**, 250 watts, unlimited.

Wednesday, September 23

Oral Argument Before the Commission

NEW—Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.—C. P., **1240 kc.**, 250 watts, unlimited.

NEW—Central Broadcasting Co., Wilkes-Barre, Pa.—C. P., **1240 kc.**, 250 watts, unlimited.

Wednesday, September 23

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah. —C. P., **880 kc.**, 10 KW, DA-day and night, unlimited.

Thursday, September 24

KXO—Valradio, Inc., El Centro, Calif.—Modification of C. P., **1230 kc.**, 100 watts, unlimited.

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.**, 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted extension of Special Service Authorization to September 30, 1943, in exact accordance with present authorization; **770 kc.**, 50 KW day, 25 KW night (B5-SSA-45).

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Granted modification (B5-MP-1634) of construction permit (B5-P-2804) as modified, for extension of completion date and adjustments in the directional antenna system.

KOCA—Ruth G. Terry and J. E. Neal (Transferors), Roy G. Terry (Transferee), Oil Capitol Broadcasting Assn. (Licensee), Kilgore, Texas.—Granted consent to acquisition of control (B3-TC-294) of Oil Capitol Broadcasting Association, license of station KOCA, by Roy G. Terry. Also granted renewal of license for the regular period.

DESIGNATED FOR HEARING

KOBH—Black Hills Broadcast Co. of Rapid City, Rapid City, So. Dak.—Designated for hearing application for construction permit (B4-P-3339) to change frequency from **1400** to **610 kc.**, increase power from 250 watts to 5 KW, install new transmitter, install directional antenna for day and night use and move transmitter.

WFLA—The Tribune Company, Tampa, Fla.—Designated for hearing application for construction permit (B3-P-3491) to increase nighttime power from 1 to 5 KW and make changes in directional antenna for nighttime use.

KFXM—J. C. and E. W. Lee, d/b as Lee Brothers Broadcasting Co., San Bernardino, Calif.—Designated for hearing application for construction permit (B5-P-3475) to install new transmitter, directional antenna for day and night use, increase power from 250 watts to 1 KW, change frequency from **1240** to **1300 kc.**, and change hours of operation from share KPPC to unlimited time.

WWNC—Asheville Citizen-Times Co., Inc., Asheville, N. C.—Designated for hearing in accordance with Memo Opinion of April 27, 1942, application for modification of construction permit (B3-MP-1437).

WTNJ—WOAX, Inc., Trenton, N. J.; WCAM, City of Camden, Camden, N. J.; WCAP, Radio Industries Broadcast Co., Asbury Park, N. J.—Designated for further hearing the applications of these stations for renewal and modification of licenses. It appears that additional facts are necessary to enable the Commission to make a proper determination, and said applications are designated for further hearing on the following issue: "To determine the qualifications of the applicant, WOAX, Inc., its officers, directors and stockholders to continue the operation of Station WTNJ, as presently operated or as proposed in Docket No. 6161."

LICENSE RENEWALS

Licenses for the following stations were renewed for the period October 1, 1942, to October 1, 1944:

WAAC, area of Tuscola, Ill.; WAAE, area of Tuscola, Ill.; WAAH, area of Wheeling, W. Va.; WAAJ, area of Toledo, Ohio;

WAAU, area of Chicago; WADP, near Franklin, Tenn.; WADQ, area of Nashville, Tenn.; WAEB, area of Macon, Ga.; WAEW, area of Washington, D. C.; WAFZ and WAFY, area of Minneapolis, Minn.; WAHB, area of Milwaukee, Wis.; WAHL, area of Paducah, Ky.; WAHM, area of Richmond, Va.; WAIC, area of Louisville, Ky.; WAID, area of Syracuse, N. Y.; WAIH, area of Chicago; WAIJ, area of Utica, N. Y.; WAIN, area of Peoria, Ill.; WAIO, area of Tuscola, Ill.; WAIQ, area of Louisville, Ky.; WAIY, area of Utica, N. Y.; WAOE, area of Aurora, Ill.; WATA, area of Ashland, Ky.; WAIU, area of Urbana, Ill.; WAUQ, area of Syracuse; WAUR, south of Champaign, Ill.; WAUV, Louisville, Ky.; WAVB, area of Portsmouth, Ohio; WAWT, area of Birmingham, Ala.; WBAC, area of Jersey City, N. J.; WBAE, area of Cincinnati, Ohio; WBAF, area of Cincinnati; WBAM, WBAN, area of New York City; WBGM, area of Fort Wayne, Ind.; WATC, area of Louisville, Ky.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than April 1, 1943:

KWIL, Albany, Ore.; KWLC, Decorah, Iowa; KYUM, Yuma, Ariz.; WBML, Macon, Ga.; WFAS and auxiliary, White Plains, N. Y.; WFOY, St. Augustine, Fla.; WGBB, Freeport, N. Y.; WJBY, Gadsden, Ala.; WJMC, Rice Lake, Wis.; WKOK, Sunbury, Pa.; WLAG, LaGrange, Ga.; WTAX, Springfield, Ill.; WIBU, Poynette, Wis.; WSNJ, Bridgeton, N. J.

Granted renewal of following station licenses for the period October 1, 1942, and ending in no event later than October 1, 1944:

WASH, Grand Rapids, Mich.; WDOD, Chattanooga, Tenn.; WFBM, Indianapolis, Inc.; WFBR and auxiliary, Baltimore, Md.; WJDX, Jackson, Miss.; WTCN, Minneapolis, Minn.; WTOC, Savannah, Ga.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than June 1, 1943:

KXRO, Aberdeen, Wash.; WEBR and auxiliary, Buffalo, N. Y.; WHAT, Philadelphia, Pa.; WIZE, Springfield, Ohio; WJMA, Covington, Va.; WJPF, Herrin, Ill.; WSAV, Savannah, Ga.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than February 1, 1943:

WBLJ, Dalton, Ga.; WBOW, Terre Haute, Ind.; WESX, Marblehead, Mass.; WIBX, Utica, N. Y.; WJBC, Bloomington, Ill.; WMFR, High Point, N. C.

Granted extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than November 1, 1942:

KHAS, Hastings, Nebr.; KSUB, Cedar City, Utah; KVIC, Victoria, Texas; WBOC, Salisbury, Md.; WDAK, West Point, Ga.; WDSM, Superior, Wis.; WGAA, Cedartown, Ga.; WGAC, Augusta, Ga.; WISE, Asheville, N. C.; WJLS, Beckley, W. Va.; WLNH, Laconia, N. H.; WMFF, Plattsburgh, N. Y.; WRBL, Columbus, Ga.; WCOU, Lewiston, Maine; WJOB, Hammond, Ind.; WSAJ, Grove City, Pa.; WSAY, Rochester, N. Y.; WTOL, Toledo, Ohio.

Granted extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than December 1, 1942:

KGEZ, Kalispell, Mont.; KOVO, Provo, Utah; KPHO, Phoenix, Ariz.; KVOX, Moorhead, Minn.; KWLM, Willmar, Minn.; KYSM, Mankato, Minn.; WFIG, Sumter, S. C.; WFTC, Kinston, N. C.; WJNO, West Palm Beach, Fla.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than October 1, 1944:

WHLD, Niagara Falls, N. Y.; WNAC, Boston, Mass.; WOL and auxiliary, Washington, D. C.; WORC, Worcester, Mass.; WRR and auxiliary, Dallas, Tex.; WSPR, Springfield, Mass.

KSRO—Ernest L. Finley, Santa Rosa, Calif.—Granted renewal of license for the period ending October 1, 1944.

WLOG—Clarence H. Frey and Robert O. Greever, Logan, W. Va. —Granted renewal of license for the period ending February 1, 1943.

WMBO—WMBO, Inc., Auburn, N. Y.—Granted renewal of license for the period ending June 1, 1943.

MISCELLANEOUS

KVGB—Helen Townsley, Great Bend, Kans.—Granted construction permit (B4-P-3509) to move transmitter a distance of 38 feet, 6 inches, at same address.

KXYZ—Harris County Broadcast Co., Houston, Texas.—Granted modification (B3-MP-1632) of construction permit (B3-P-3016) for extension of completion date to 1-20-43.

WOOD—King Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted modification (B2-MP-1586) of construction permit (B2-P-2874) for change in type of transmitting equipment and change in directional antenna.

WOC—Tri-City Broadcasting Co., Davenport, Iowa.—Granted modification (B4-MP-1631) of construction permit (B4-P-2288) for extension of completion date to 10-19-42.

KSCJ—Perkins Brothers Co. (The Sioux City Journal), Sioux City, Iowa.—Granted modification of license (B4-ML-1136) to change name of licensee from Perkins Brothers Company (The Sioux City Journal) to Perkins Brothers Company.

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted modification of license to change corporate name from Walker and Downing Radio Corp. to WWSW, Inc. (B2-ML-1137).

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted modification (B3-MP-1628) of construction permit (B3-P-3042) for extension of completion date to 3-13-43.

KTRH—KTRH Broadcasting Co., Houston, Texas.—Granted modification (B3-MP-1633) of construction permit (B3-MP-1633) of construction permit (B3-P-3011) for extension of completion date to 3-10-43.

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted modification (B1-MP-1637) of construction permit (B1-P-3024) for extension of completion date to 10-8-42.

WDEL—WDEL, Inc., Wilmington, Dela.—Granted modification (B1-MP-1638) of construction permit (B1-P-2758) for extension of completion date to 10-17-42.

WLAC—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—Granted license (B3-L-1707) to cover construction permit (B3-P-1250) for new transmitter, increase in power to 50 KW, installation of directional antenna, for night, and move of transmitter. Also granted authority to determine operating power by direct measurement of antenna power (B3-Z-1437).

KRED—Redwood Broadcasting Co., Inc., Portable-Mobile, area of Eureka, Calif.—Granted construction permit (B5-PRY-287) for new relay broadcast station reinstating construction permit (B5-PRY-263), which expired 7-19-42; frequencies: **1622, 2058, 2150, 2790 kc.**, 75 watts power, to be used with applicant's standard station KIEM, Eureka, Calif.

WBCZ—WHEB, Inc., Portable-Mobile, area of Portsmouth, N. H. —Granted license (B1-LRE-421) to cover construction permit (B1-PRE-416), which authorized new relay broadcast station to be used with applicant's standard station WHEB, Portsmouth, N. H.; frequencies: **30820, 33740, 35820, 37980 kc.**, 25 watts.

W85A—General Electric Co., Schenectady, N. Y.—Granted license (B1-LH-13) to cover construction permit (B1-PH-19), which authorized a new FM station; frequency: **48500 kc.**, 6,600 square miles, unlimited time operation.

KAOY—Don Lee Broadcasting System, Portable-Mobile, area of Los Angeles, Calif.—Granted modification (B5-MPRE-56) of construction permit (B5-PRE-297) for extension of completion date for new relay station to 1-23-43.

WBEE—Worcester Telegram Publishing Co., Inc., Portable-Mobile, area of Worcester, Mass.—Granted license (B1-LRY-286) to cover construction permit (B1-PRY-266), which authorized a new relay broadcast station to be used with applicant's standard station WTAG.

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted license (B2-LH-10) to cover construction permit (B2-PH-73), authorizing a new FM station; frequency: **45300 kc.**, 9,300 square miles coverage, unlimited time.

KWID—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted license to cover construction permit (B5-PIB-34) for new international broadcast station; frequencies: **6060,**

***7230, 9570, 11870, 15290, 17760** and **21610 kc.**; 100 KW power; share time with WCBX, WCDA and WCRC on **6060 kc.**, with WBOS on **9570** and **11870 kc.**; unlimited time on **7230, 15290, 17760** and **21610 kc.**

KPRC—Houston Printing Corp., Houston, Texas.—Dismissed without prejudice application (B3-MP-1398) for modification of construction permit to install a 10 KW transmitter and the use of 10 KW day power.

Utica Observer Dispatch, Inc., Utica, N. Y.—Adopted order dismissing without prejudice application for construction permit (Docket 6043).

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah. —Granted petition to amend order to take depositions and for waiver of Rule 1.221, in re application for construction permit to operate on **880 kc.**, 10 KW, directional antenna day and night, unlimited time (Docket No. 6351).

Pottsville Broadcasting Co., Pottsville, Pa.—Adopted order dismissing application for construction permit (Docket 4071). since applicant has failed to furnish the Commission with certain additional information requested by it.

Pottsville News & Radio Corp., Pottsville, Pa.—Adopted order dismissing application for construction permit (Docket 4402), since applicant has failed to furnish the Commission with certain additional information requested by it.

The Schuylkill Broadcasting Co., Pottsville, Pa.—Adopted order dismissing application for construction permit (Docket 4176), since applicant has failed to furnish the Commission with certain additional information requested by it.

Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.; Central Broadcasting Co., Wilkes-Barre, Pa.; Northeastern Penna. Broadcasters, Inc.. Wilkes-Barre, Pa.; Key Broadcasters, Inc.. Wilkes-Barre, Pa.—Adopted order designating for further hearing (Commissioners Case and Craven dissenting), applications for construction permits of applicants for a new station in Wilkes-Barre, Pa., on the following issue: "To determine the qualifications of the applicant, Northeastern Penna. Broadcasters, Inc.. its officers, directors and stockholders to construct a new broadcast station at Wilkes-Barre, Pa., as proposed in Docket No. 6170." It was further ordered that the oral argument which is scheduled for September 23, 1942, be cancelled.

WOW—Woodmen of the World Life Insurance Society, Omaha, Nebr.—Denied petition of WOW which requested the Commission to order Station KBON to discontinue program tests or any other type of operation on the frequency **1490 kc.**, and which further requested application for license for the operation of KBON be designated for hearing.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted motion to dismiss without prejudice application for construction permit to operate on **590 kc.**, 5 KW night, 10 KW day, unlimited time (Docket No. 6342).

W71RF—Rockford Broadcasters, Inc., Rockford, Ill.—Granted motion to dismiss without prejudice application for modification of construction permit to operate on **47100 kc.**, with an area of 3900 square miles (Docket No. 6422).

KOY—Salt River Valley Broadcasting Co., Phoenix. Ariz.—Granted petition to dismiss without prejudice application for modification of construction permit to operate on **550 kc.**, 1 KW night, 5 KW day, unlimited time (Docket No. 6415).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing now set for September 24, to October 26, in re application for modification of license to operate on **1230 kc.**, 250 watts, unlimited time (Docket No. 6216).

APPLICATIONS FILED AT FCC

680 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of construction permit (B4-P-2477 as modified) which authorized installation of new transmitter, directional antenna for day and night use, increase power, change hours of operation and move transmitter, requesting extension of completion date from 9-30-42 to 11-30-42.

780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Authority to determine operating power by direct measurement of antenna power.

900 Kilocycles

WSBA—Susquehanna Broadcasting Co., York, Penna.—License to cover construction permit (B2-P-3314 as modified) which authorized construction of new standard broadcast station.

1340 Kilocycles

KAND—Navarro Broadcasting Assn., J. C. West, Pres., Corsicana, Tex.—Modification of license to change location of main studio from State National Bank Bldg., Corsicana, Texas, to ½ mile north of Corsicana on Highway 75, Corsicana, Tex.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn. —Involuntary transfer of control of licensee corporation to Agnes P. Gentling, as Executrix of the Last Will and Testament of Gregory P. Gentling, Deceased (2505½ shares).

1360 Kilocycles

WSAI—The Crosley Corp., Cincinnati, Ohio.—License to cover construction permit (B2-MP-1247 as modified) for increase in power, move of transmitter and installation of directional antenna for night use. Amended: re proof of performance.

WSAI—The Crosley Corp., Cincinnati, Ohio.—Authority to determine operation power by direct measurement of antenna power. Amended: re proof of performance.

WSAI—The Crosley Corp., Cincinnati, Ohio.—License to cover construction permit (B2-MP-1247 as modified) for 100 watts synchronous amplifier for daytime use.

WSAI—The Crosley Corp., Cincinnati, Ohio.—Authority to determine operating power by direct measurement of antenna power (of amplifier).

1380 Kilocycles

KBWD—Brown County Broadcasting Co., Brownwood, Tex.—Authority to determine operating power by direct measurement of antenna power.

1430 Kilocycles

KWKW—Southern California Broadcasting Co., Pasadena, Calif. —License to cover construction permit (B5-P-3108 as modified) for new standard broadcast station.

KWKW—Southern California Broadcasting Co., Pasadena, Calif. —Authority to determine operating power by direct measurement of antenna power.

FM APPLICATION

W41MM—Gordon Gray, Winston-Salem, N. C.—Modification of construction permit (B3-PH-76 as modified) which authorized construction of new high frequency broadcast station requesting extension of completion date from 10-14-42 to 1-19-43.

TELEVISION APPLICATIONS

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PVB-33 as modified) which authorized construction of new television broadcast station, for change in type of aural transmitter, change in aural emission from A3 to Special for FM, changes in aural antenna system, change type of visual transmitter, increase power from 1 KW visual and aural to 2 KW aural and 4 KW visual and extension of completion date from 10-15-42 to 3-15-43.

KTSL—Don Lee Broadcasting System, Hollywood, Calif.—Modification of construction permit (B5-PCT-7 as modified) which authorized construction of new television broadcast station for extension of completion date from 10-12-42 to 4-12-43.

(*Subject to condition that the authorization for this frequency may be modified by the Commission to delete this frequency without advance notice or hearing.) (B5-LIB-23).

MISCELLANEOUS APPLICATIONS

WDAB—Charleston Broadcasting Co., area of Charleston, W. Va. —Modification of construction permit (B2-PRY-270) which authorized construction of new relay broadcast station for extension of commencement and completion dates.

W9XG—Purdue University, W. Lafayette, Ind.—Modification of construction permit (B4-PVB-52 as modified) which authorized changes in equipment, frequencies, decrease in power and addition of aural channel using Special Emission for extension of completion date from 9-24-42 to 9-24-43.

KORE—Frank L. Hill and C. G. Phillips, d/b as Eugene Broadcast Station, Eugene, Oregon.—Voluntary Assignment of License from Frank L. Hill, as surviving co-partner of Hill & Phillips, co-partners, and Georgia Phillips, Executrix of Estate of C. G. Phillips, deceased, to Frank L. Hill and Violet Hill, co-partners d/b as Eugene Broadcast Station. Amended: to change name of Violet Hill to Violet G. Hill.

NEW—Penn Thomas Watson, area of Wilson, N. C.—License for new relay broadcast station using equipment and facilities formerly licensed under call letters WGTO on **1606, 2074, 2102, 2758 kc.,** 25 watts, A3 Emission.

KEYS—Earl C. Dunn and Charles W. Rossi, d/b as Nueces Broadcasting Co., Corpus Christi, Texas.—Voluntary Assignment of license from Earl C. Dunn and Charles W. Rossi d/b as Nueces Broadcasting Co. to Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co.

KBTB—Red River Broadcasting Co., Inc., Duluth, Minn.—Construction permit to move transmitter of relay broadcast station from 16th St. and St. Louise Ave., Duluth, Minn., to Front St. and 63rd Ave. West, Duluth, Minn.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

International Research—Use of "lures" by a distributor of collection agency cards and two Washington intermediaries, in which fictitious "trust funds" and promises to pay "a sum of money" to persons whose addresses were sought, were used as bait, is charged in a complaint. The respondents are Edward Lowenthal, trading as International Research and Bureau of Industrial Allocation, 188 West Randolph St., Chicago, and Sidney Dean Sarff and H. J. Whittington, Evans Bldg., 1420 New York Ave., N. W., Washington. (4832)

Stanley J. Remus & Co., engaged principally as a jobber in the purchase and sale of canned salmon, tuna, shrimp and sardines; P. E. Harris & Co., Kelley-Clarke Co., and Oceanic Sales Co., all of Seattle, Wash., engaged in the canning and sale of canned fish, are charged in a complaint with violation of the brokerage section of the Robinson-Patman Act. (4833)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Heger Products Co., Inc., 459 Como Ave., St. Paul, Minn., engaged in selling a dog food designated "Dog Nibs," has stipulated to cease using the word "meat" or any other word or term of similar import to describe dehydrated meat or dehydrated beef meal, or any product which is not made of meat or beef. (03049)

V. La Rosa & Sons, Inc., 347 Kent Ave., Brooklyn, distributor of a food product designated "La Rosa Grade A Macaroni," and Andre Luotto, 30 Rockefeller Plaza, New York, conducting an advertising agency which disseminated advertisements for the product, have stipulated to cease representing that La Rosa Grade A Macaroni or the protein contained therein is incapable of adding excess body weight; that the maraconi product will prevent acidosis; that the product contains sufficient protein to prevent the destruction of body tissues or to keep the body in a state of nitrogen balance; that the product through its bulk or roughage content, or otherwise, will insure proper digestion and assimilation or enable one to avoid a sluggish intestinal condition; or that the macaroni, when cooked and ready for serving, will provide per pound as much as 300 International or U. S. P. Units of Vitamin B-1. (03048)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Indestro Manufacturing Corp., 2649 North Kildare Ave., Chicago, manufacturer and distributor of automobile tools, including wrenches, has been ordered to cease and desist from misrepresention of its products. (4006)

Paramount Yarn Co., 362 Grand St., New York, engaged in the sale and distribution of knitting yarns, has been ordered to cease and desist from misrepresentation concerning its products. (4521)

Specialty Accounting Supply Manufacturers Association, Chicago, O. L. Moore, its secretary, and 30 members of the association who manufacture and sell sales books and continuous form sales records stationery have been ordered to cease and desist from engaging in or continuing any agreement or understanding to restrain and eliminate competition in price in the sale of their products.

The respondent member manufacturers are: Acme Register Co., Minneapolis; Adams Bros. Sales Book Co., Topeka, Kans.; American Sales Book Co., Inc., Niagara Falls, N. Y.; Atlantic Register Co., Waltham, Mass.; Autographic Register Co., Hoboken, N. J.; Baltimore Sales Book Co., Baltimore; Bonnar-Vawter Fanform Co., Cleveland; Cosby-Wirth Manifold Book Co., Minneapolis; Craft Sales Book Co., Inc., Philadelphia; Egry Register Co., Dayton, Ohio; W. S. Gilkey Printing Co., Cleveland; Stephen Greene Co., Philadelphia; Hamilton Autographic Register Co., Hamilton, Ohio; Hanna Register Co., Springfield, Ill.; Philip Hano Co., Inc., Holyoke, Mass.; Lisbon Sales Book Co., Lisbon, Ohio; Roscoe M. Breeden, doing business as Los Angeles Register & Printing Co., Los Angeles; McCaskey Register Co., Alliance, Ohio.

The Miami Systems Corp., Cincinnati; National Carbon Coated Paper Co., Sturgis, Mich; The Potter Press, Waltham, Mass.; C. W. Potter, Inc., Waltham, Mass.; The Rotary Printing Co., Norwalk, Ohio; Schwabacher-Frey Co., San Francisco; Shelby Salesbook Co., Shelby, Ohio; The Snapout Forms Co., Chardon, Ohio; The Standard Register Co., Dayton, Ohio; Sunset-McKee Sales Book Co., Oakland, Calif.; United Autographic Register Co., Chicago; and The Wallace Press, Inc., Chicago. (4538)

Uniform Mfg. Exchange, Inc.—An order to cease and desist from agreements, understandings and conspiracies to suppress competition in the manufacture and sale of uniforms has been issued against Uniform Manufacturers Exchange, Inc., 112 East 19th St., New York, and 23 member firms, all located in New York.

The Commission finds that the respondents, who are manufacturers and distributors of uniforms and overcoats worn by bellboys, porters, doormen and others engaged in similar employment, in 1934 organized the respondent exchange to control and regulate the business of manufacturing and selling uniforms and since 1936 have maintained a cost guide and Manual to govern the manufacture and distribution of such products.

The respondent members of the exchange named in the order are:

All-Bilt Uniforms, Inc., 147 Fulton St.; S. Appel & Co., Inc., 18 Fulton St.; Bernhard, Schrag & Co., Inc., 18 West 18th St.; Brooks Uniform Co., Inc., 1140 Sixth Ave.; I. Buss, Inc., 84 Fifth Ave.; Walter Cahn Co., Inc., 237 Lafayette St.; Stone Uniform Co., Inc., 9 East 19th St.; Uniforms by Ostwald, Inc., 18 East 16th St.; The Joseph F. Webber Uniform Corp., 273 Fifth Ave.; Z. & O. Uniform Co., Inc., 45 East 20th St.; Russell Uniform Co., 1600 Broadway; B. Schellenberg & Sons, 72 Willoughby St., Brooklyn; Smith-Gray Corp., 740 Broadway; A. DuBois Son, Inc., 17 Union Square, West; L. P. Maher, Inc., 331 Fourth Ave., Merson Clothes, Inc., 254 Canal St.; Charles Palley and Abraham Cebulsky trading as Acme Uniform Co. 817 Broadway; Charles Mitchell and Paul Perkins trading as Mitchell & Perkins, 260 West 41st St.; John A. Hughes and William A. Thomas, trading as Hughes & Thomas, 53 East 19th St.; L. M. Barth, 257 Fourth Ave.; Arthur R. Meyers, trading as National Uniform Co., 41 East 28th St.; Albert T. Scafati, trading as A. T. Scafati Corp., 226 West 41st St.; and Al S. Mair, trading as Fisher-Mair Uniform Co., 11 West 25th St.

Also named are: George Appel, Howard V. Smith, Sr., I. Charles Bernhard, Elias Goldstein, T. A. DuBois, Arthur Stone, and E. S. Smith, officers and directors of Uniform Manufacturers Exchange, Inc. (4712)

FTC CLOSES CASE

The Federal Trade Commission has closed its case against The Georgia Marble Finishing Works, Canton, Ga. The complaint charged misrepresentation by the respondent of the enduring qualities of tombstones and monuments manufactured by it. The Commission finds that the corporate respondent has been dissolved and its charter surrendered.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 38, September 25, 1942

Programs for Victory

WHBC'S $18,000 BOND PROMOTION CONTEST

Out in Canton, Ohio, radio station WHBC is sponsoring a bond selling campaign at a cost in excess of $18,000 with $13,200 in prize money. It is open to senior high school students.

Four hundred seniors took the qualifying test at McKinley High School, under the direction of a Western Reserve University faculty member, September 19. The twenty students who received highest grades remain in the contest.

Since an $18,000 contest for a single radio station, even in these times of box car figures, is unusual, Manager Felix Hinkle was asked for information. He suggests that in communities where there are war industries there should be little difficulty in obtaining financing for this type of promotion, providing the approval is made by the proper persons and the Board of Governors is hand-picked from the top bracket of the community.

Apparently Mr. Hinkle followed his own advice, for the following Ohio firms were almost instantly agreeable to contributing funds: The Alliance Machine Co., Alliance; The Bonnot Co., Canton; Canton Clearing House Association, Canton; The Climalene Co., Canton; The Diebold Safe & Lock Co., Canton; The Griscom-Russell Co., Massillon; The Hercules Motors Corp., Canton; The Hoover Co., North Canton; The Hygienic Products Co., Canton; The Luntz Iron & Steel Co., Canton; The Morgan Engineering Co., Alliance; The Massillon Steel Casting Co., Massillon; The Republic Stamping & Enamelling Co., Canton; The Timken Roller Bearing Co., Canton; The Tyson Roller Bearing Co., Massillon; The Union Metal Manufacturing Co., Canton.

The station management named six men to the committee to have complete charge of the contest: Wendell Herbruck, Chairman; Michael H. Conrad, Secretary; Rev. John B. Barker; Grant D. Esterling; Dr. Charles B. Ketcham; J. Brenner Root.

The First Trust & Savings Bank of Canton was named trustee of the funds of the contest. Western Reserve University has complete charge of the qualifying examination.

The Radio Contest

The radio contest itself is of the quiz variety with all questions prepared by Western Reserve, sealed in an envelope and delivered to the master of ceremonies on each program, at the time the program is to go on the air.

There are 35 programs in the contest, presented one a week for 35 consecutive weeks beginning September 29.

Out of the funds contributed by local manufacturers, $13,200 is prize money to be distributed as follows:

1st Price—$4,000 Scholarship
2nd Prize—$3,000 Scholarship
3rd Prize—$2,000 Scholarship
4th Prize—$1,000 Scholarship
16 other prizes—$200 in war bonds each.

Budget expenses include $1,000 for newspaper advertising; $1,000 for printing, $2,000 for salaries for two clerks to keep votes and records. And a sum for the educational director.

Though WHBC is donating all of its time and talent, Mr. Hinkle believes that the broadcaster should probably charge for such service and insert a covering amount in the budget as expense. He said that he was sure that this could have been done locally without criticism. It was not done because in this instance the station did not wish to profit on this promotion.

How Winners Are Determined

Winners are determined by points. Total points comprise those earned by answering the quiz question correctly and the points voted contestants by bond purchasers in the county. Every question answered correctly carries 25,000 points. Each person in Stark County, Ohio, who purchases "E" defense bonds during the contest, shall have the right to vote for any contestant on the program at the rate of one point for each dollar in [maturity value] bond purchases.

Write for Details

All broadcasters who are interested in this promotion are invited to write Mr. Hinkle for complete details. He has assured NAB that he will be very happy to supply them.

WBIG Produces Morale Program

"God Favors the Bold and Strong of Heart" is the title of one of the patriotic shows broadcast by WBIG, Greensboro, N. C.

Major Edney Ridge, station director, has forwarded the script of the September 15 broadcast. The program opens with organ playing "Onward Christian Soldiers." There are three voices; first male voice, second male voice and feminine voice.

In the September script the first announcer picks up after the organ theme with:

"A few days ago one of our greatest generals, Lieutenant-General Brehon B. Somervell of the United States Army, emphatically stated, 'We are losing this war' . . . in last week's issue of LIFE, under the title, 'THE SOFT PEOPLE WANT GOOD NEWS, THE STRONG PEOPLE WANT TRUTH,' we are quoting by special permission of the magazine. Here goes—

"The Civil War was a test of freedom, and we passed it. But the war against the armed slavery of Germany is an even bigger test, and we haven't passed this one yet. And the strong people insist that to win this war we must pass the test. To win, we must prove, as Lincoln did, that freedom is stronger than slavery. We can adopt as many of Hitler's methods as we like, but we cannot adopt his principles.

"We must win with our principles, and to do this we must realize that freedom is not just a word, to be won with a little oratory. Freedom is a fact, that is, people, 130,000,000 of them. Each of these 130,000,000 people—these facts of freedom—must pass Lincoln's test, individually and on his own. Each one must voluntarily take upon himself or herself the sacrifices, whether in blood or in comfort, that the struggle requires.

"Each must mobilize his factory, his union, his city, his farm, his home, his personal life—for war. And to this end, each must be informed.

(Continued on page 570)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

WBIG PRODUCES MORALE PROGRAM

(Continued from page 569)

"And this test applies to you, Donald Nelson, the big man with a bigger job. Here's a motto for you: 'Get sore and stay sore.'

"It applies to you, Phil Murray of the CIO, and you, Messrs. Thomas and Reuther of the Automobile Workers. Tell your men what is at stake, that they must meet Lincoln's test.

"It applies to you, Ed O'Neal of the Farm Bureau, and you, Senator Russell of the farm bloc. Have more faith in your people.

"It applies to you, Franklin Roosevelt, man of many burdens. Be honest with us. Dump our share of this war on our shoulders.

"It applies to you, the Polish worker, and you, the Negro worker, and you, Farmer Jones, and you, the obscure writer of this page. You are only halfway mobilized for war. Nothing any of you can do will ever be enough.

"It applies to all of us, Americans: all who have ever stood upon a porch to watch the long wind stroking the borderless American plains, or seen a white road winding among dusty American apple trees and oaks, or heard the deep surf beating on an American shore; all who have learned freedom in the scuffle of the people's schools, or heard it spoken at the crossroads on lazy afternoons, or felt its electric power in the voting booth. It is we—each of us—who must prove whether a nation so conceived and so dedicated can long endure." . . .

WJR Larry Payne, Fund Raiser

WJR's announcer, Larry Payne, has demonstrated his ability as a fund raiser. Benefactor was the Selfridge Field Band and Recreation Center, Michigan.

While producing a weekly half hour show, "Selfridge Salute," he learned of the need for funds to expand services and conceived the money raising plan. Mr. Payne's co-workers were: L. P. Wagner, general manager of Jefferson Beach Park, and members of American Women's Volunteer Services.

The Plan

This is the plan he presented:

1. Designate Friday night, August 28, at Jefferson Beach Park as "Selfridge Field Nite."
2. Sell tickets at 50c each, entitling the bearer to $1.70 in amusement tickets at the park.
3. Give all the proceeds of the advance sale to Selfridge Field Recreation and Band funds.

Plan was accepted and Mr. Payne went to work, receiving the backing of the following broadcast stations in Metropolitan Detroit, in addition to his own, WJR: WWJ, W45D, CKLW, WJLB, W49D, WEXL, WJBK, WCAR.

The Detroit News, Free Press and Times also extended cooperation.

Results

Three thousand nine hundred dollars ($3,900) was presented to Colonel William T. Colman, commanding officer, through Major William C. Ingram, base executive, on August 28.

Mr. Payne said that more money would be forthcoming as settlements with the ticket salesmen were completed. He predicted that the total could run to $5,000.

What Do You Think of This?

The following letter was received by OWI. We're printing it to test your reactions on the writer's proposal.

It is suggested you send comments to Douglas Meservy, Deputy Chief, OWI Radio Bureau, Washington, D. C.

"To you, OWI, as the 'Coordinator' of news," wrote Mr. Black, "I am taking the liberty of offering one suggestion that I believe will be of a National benefit. At present our news commentators and reporters use a great many synonyms for the warring powers that are confusing to the average country listener—as an example

		Allied Nations	
Axis		British	
Nazis		English	
German	all equal our enemy	Russians	all equal our army
Italian		Soviets	
Japanese		Reds	
Niponese		Chinese	
etc.		American	
		Yanks, etc.	

"In a radio comment or a newspaper article the *same* country may be referred to by *three* different names in as many sentences.

"I have tenants on the farm of average intelligence, who get confused over these multiple terms and fail to learn who is fighting who.

The Suggestion

"So my suggestion is that all radio commentators and news reporters be instructed to use the words 'The Enemy' when referring to our enemies and the words 'Our Army' when referring to any forces on our side.

"The word 'Our' is in the possessive case, and that will help cement all the people in the war, and stop so much reference to 'They' when actually referring to the Allied Nations. Since *our* boys are on practically all fronts, it is *our war* and *our army* and not *the* war and *the* British, Chinese, etc.

"If you mingled with the common herd as I do, you would readily see the need for and good that could be accomplished by a unified name covering all the Allied Nations and one covering all our enemies."

ONE FOR THE BOOK

Kern Tips, KPRC, Houston, Tex., reports that one of his station's bond customers ($262) was George Lee Taylor, 28-year-old negro, who is serving a stretch of 20 years for the murder of his wife.

"I like the programs KPRC sponsors in the sale of bonds," Taylor told the warden. The negro came into the $262 by a real estate sale.

WCSC TALKS TO SHIPBUILDERS

Station WCSC, Charleston, S. C., is putting on some down-to-earth bond programs for the boys in nearby shipyards who aren't doing so badly on payday. Here's a typical script:

A little over nine months ago . . . our country . . . went to war! Ever think of it that way? "Went . . . to . . . war"—cold, hard, ugly words! Maybe you don't think that means anything—just words, like . . . "Remember Pearl Harbor!" and "Slap a Jap!" and "Join the Scrap!" and "Wartime Is Ten Percent Club Time!" But, did you ever stop to think exactly what those words mean to . . . a shoe salesman in a stinking fox-hole in the Philippines—or to a young garage mechanic, taking off for his first flight over Rommel's lines in Egypt? No, I'll betcha'! And if you want to spend an unpleasant half-hour sometime, get off in a corner by yourself and let your imagination run . . . put yourself with any one of our boys . . . on any one of the front lines! If you've got any imagination at all . . . you won't wait for the end of that little day-dream . . . there's something else, like that, that I'm going to say that's going to give you the same kind of unpleasant half-hour—if you've got the guts to face it! Let's take it this way! You, out there . . . and you . . . you're in "War Production!" You're doing a vital job—a job, just as important as the guy with the gun . . . maybe without quite all the risks . . . but just as important. . . . Well, answer this question for yourselves . . . nobody listening . . . and nobody's going to snoop, but, a couple of years ago, say, you were making . . . how much? Twenty-five dollars a week? Yeah, something like that! And how much are you making now? Go on! Answer yourself—nobody wants to know—nobody's snooping. . . . Just a little problem in mental arithmetic coming up . . . something you can figure out in your own little corner all by yourself. Any one of you out there who hasn't had about a 300 percent boost in the paycheck in the last couple of years . . .? Mind now, I didn't say 10 percent or 15 percent . . . I'm figuring 25 dollars against, say, about 75 dollars a week since two years ago . . . and the cold, hard arithmetic of that is 300 percent pay increase! Well, with 300 percent more dollars in your kick . . . what are you doing with it? Is . . . as much as ten percent of it going into war bonds? Answer yourself . . . nobody wants to know! Is it? Now, just hold that little day-dream right there and put this one with it! After this war is over . . . what's going to happen to that 300 percent? Maybe, even, how about that job? (Use your imagination—it's good.) All right then, let's stop being grim and look at the common horse sense of the matter. Ten or 15 or 20 percent of that 300 percent larger paycheck, invested in war bonds—I said "invested"—you're not *giving*, remember, you're *getting*—getting four dollars for every three in ten years . . . and that little return from Uncle Sam . . . that'll go a long way toward beginning a home, say, . . . or just keeping your family . . . with you out of a job, or, in case . . . well, just in case . . . (pause) and look, I'm not telling you anything you don't already know . . . maybe it's just . . . you hadn't thought about it . . . didn't have time to get off in a corner and let your imagination run! Well . . . you do it? Start with that part about our country "being at war" . . . and go on from there—it'll be unpleasant . . . but it'll be profitable!

NEWS OF AIRPLANE CRASHES

Unconsciously many newspapers and some radio stations are undermining morale of the people by publishing or broadcasting in series news items concerning crashes of civilian and military airplanes. While it is true that the number of accidents to aircraft, both military and civilian, has increased, it is likewise true that there are many more planes in the air today than ever before. The percentage of accidents to the number of planes flying is probably not materially more than it was in normal times.

There is no suggestion that news regarding airplane crashes be suppressed but some care should be taken in printing news of them or making radio announcements in news broadcasts. They should not be linked in a series. It is just like broadcasting news of casualty lists. They don't do public morale any good. Here's a suggestion that the news departments of broadcasting stations may well consider.

PER-INQUIRY OFFERS

The Gospel Sales Co., 1103 Emerson Tower Bldg., Baltimore, Md., is seeking per-inquiry deals in the interests of selling Bibles.

D. S. Manson & Associates, Minneapolis, Minn., is on the P-I market again, this time bartering for "Red Devil Soot & Carbon Remover," a furnace cleaner.

Both of these companies have been advised of the radio industry's attitude towards attempts of this nature and have been invited to use radio at established rates.

The NAB Department of Broadcast Advertising is very grateful for the continued cooperation of the stations in reporting all free time and per-inquiry solicitations.

MANPOWER QUESTIONNAIRE

Returns of the Manpower Questionnaire mailed to all stations September 16th indicate that stations recognize the importance of the problem. Their prompt attention and the care with which they are filling out the questionnaire will help headquarters to prepare the data required for action on behalf of the industry.

Those stations which have not yet returned the questionnaire are urged to complete the information required and mail their return promptly. Speed is of the essence in meeting the problem.

Today Selective Service officials are accepting an NAB invitation to visit the studios and transmitters of four Washington stations so that they may see at first-hand the complexity of broadcasting operations and the personnel requirements to keep the stations on the air. Russell Place and Howard Frazier are accompanying the group.

PROGRAMS FOR ALASKA

In an effort to provide American troops in remote stations with the kind of contact they want with home, the Office of War Information announced today that it would purchase a minimum of eight hours radio time daily beginning about October 1 to pipe news and special programs to service men in Alaska.

Commercial shows taken from the three major radio networks also will be transmitted. The programs will be piped from San Francisco to four Alaskan stations at Fairbanks (KFAR), Juneau (KINY), Ketchikan (KTKN) and Anchorage (KFQD) and rebroadcast over medium wave transmitters.

As equipment becomes available, the OWI, in conjunction with the Army Signal Corps, will install low-powered transmitters at Nome, Dutch Harbor and Kodiak.

The OWI already is broadcasting news and variety programs for the information and entertainment of American troops on overseas duty. The schedule of Alaskan broadcasts was arranged by Murry Brophy, chief of the Bureau of Communications Facilities of the OWI's Overseas Branch.

PRIORITY FOR SET REPAIR

Priority assistance in the purchase of repair-shop material for the maintenance of home radios may be applied for on Form PD-1X by distributors and dealers who buy directly from manufacturers, it was explained today by Linford C. White, chief of the War Production Board's Distributors' Branch.

This procedure does not impose any requirements upon the consumer or the repair-shop operator, but by making it easier for the large distributor to obtain parts it maintains established links between producer and home set owner.

Mr. White pointed out, however, that preference ratings would be assigned by his branch only to items necessary to the functioning of receiving sets. No fancy, non-essential radio gadgets and no phonograph parts will be rated on Form PD-1X, nor will repair parts for Army, Navy and other Government-owned radios. Assistance in acquiring the latter is available through other established procedures.

LIEUT. LEVY IN NEW POST

Navy Lieutenant Leon Levy now has the post of consultant to OWI Radio Bureau. He was relieved from duty in the Philadelphia area at the request of William B. Lewis, Bureau Chief. In endorsing the transfer, Rear Admiral A. E. Watson stated that the change was approved with reluctance but granted because new duties were of such importance.

Lieut. Levy represents the new Liaison Division of the Radio Bureau in the Philadelphia district. He is president of WCAU Broadcasting Co., Philadelphia.

HUB TAFT TO ARMY

Hulbert Taft, Jr., general manager of WKRC, Cincinnati, and president of the Ohio Association of Broadcasters, has been commissioned a first lieutenant in the Army Air Forces, and is slated to report at Miami October 1. Ken Church, director of national sales and promotion for WKRC, succeeds him as general manager of the station. Mr. Taft has appointed John Patt, WGAR, Cleveland, to head the Ohio Association of Broadcasters.

FEDERAL COMMUNICATIONS COMMISSION

FCC POLICY ON APPLICATIONS INVOLVING USE OF QUARTZ

The FCC has relaxed slightly its interpretation of the Memorandum Opinion of April 27, in order that applications involving shifts in frequency in which no materials will be utilized other than quartz crystals, may be granted, provided:

(a) Such applications involve no inconsistencies with Order No. M-146 of the War Production Board relating to quartz crystals;

(b) Such applications involve no engineering conflict with any other application pending at any time since February 22, 1942;

(c) Such applications involve no inconsistencies with the Commission's Rules and Regulations;

(d) Such applications tend toward a fair, efficient, and equitable distribution of radio service, are consistent with sound allocation principles and offer substantial improvement in standard broadcast service; and

(e) Such applications are otherwise in the public interest.

The Committee studying this matter advises that it will make further recommendations relative to the Memorandum Opinion.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 28. They are subject to change.

Tuesday, September 29

Further Hearing

NEW—J. C. Kaynor, Ellensburg, Wash.—C. P., **1310 kc.**, 250 watts, unlimited.

Wednesday, September 30

WNOE—WNOE, Incorporated, New Orleans, La.—C. P., **1060 kc.**, 50 KW, unlimited, DA-day and night.

Thursday, October 1

WJOB—O. E. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB, Hammond, Ind.—C. P., **1230 kc.**, 250 watts, unlimited.

Friday, October 2

WHEB—R. G. LeTourneau, Transferor, The LeTourneau Foundation, Transferee, Portsmouth, N. H.—Transfer of control of WHEB, Inc., **750 kc.**, 1 KW, limited time WSB.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted modification of construction permit as modified, which authorized increase in power, installation of new transmitting equipment and directional antenna for night use, and move transmitter and studio, for extension of completion date from September 23 to November 23, 1942 (B2-MP-1639).

WAAD—Ralph A. Horton, Portable-Mobile, area of Ft. Lauderdale, Fla.—Granted modification of construction permit, which authorized a new relay broadcast station, for change in type of transmitter and extension of commencement and completion dates from January 27, 1942 and July 27, 1942, to 60 days after date of grant and 120 days thereafter, respectively (B3-MPRY-31).

WFTM—W. E. Benns, Jr., W. E. Benns, Sr., Mrs. W. E. Benns, Sr., T. F. Skinner and Fred M. Mellor (Transferors), Ronald B. Woodyard and Reginald B. Martin (Transferees), Ft. Meyers Broadcasting Co. (Licensee), Ft. Meyers, Fla.—Granted consent to the transfer of control of Fort Meyers Broadcasting Company, licensee of station WFTM, from W. E. Benns, Jr., W. E. Benns, Sr., Mrs. W. E. Benns, Sr., T. F. Skinner and Fred H. Mellor to Ronald B. Woodyard and Reginald B. Martin (B3-TC-309), consisting of all issued and outstanding capital stock of the licensee, for a total consideration of $12,600.

WGGA—Henry Estes, Austin Dean and L. H. Christian, a partnership, d/b as Gainesville Broadcasters (Assignor), Blue Ridge Broadcasting Co. (Assignee), Gainesville, Ga.—Granted consent to voluntary assignment of license from Henry Estes, Austin Dean and L. H. Christian, d/b as Gainesville Broadcasters, Station WGGA, to Blue Ridge Broadcasting Co. (B3-AL-345), from a partnership to a newly organized corporation.

DESIGNATED FOR HEARING

KVAK—Carl Latenser, Atchison, Kans.—Designated for hearing application (B4-R-1006) for renewal of license.

KVAK—Carl Latenser (Assignor), Radio Enterprises, Inc. (Assignee), Atchison, Kans.—Designated for hearing, to be consolidated with above application, consent to the voluntary assignment of license of station KVAK from Carl Latenser to Radio Enterprises, Inc. (B4-AL-320).

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Designated for hearing application for renewal of license (B5-R-17).

Ohio State University, Columbus, Ohio (Portable-Mobile).—Designated for hearing application for construction permit (B2-PRY-286) for new relay broadcast station to operate on **1622, 2058, 2150** and **2790 kc.**, with 25 watts power, A3 emission, to be used with applicant's standard broadcast station WOSU at Columbus, Ohio.

LICENSE RENEWALS

Granted renewal of following relay broadcast station licenses for the period October 1, 1942, and ending no later than October 1, 1944 (areas given):

KAAC, Los Angeles, Calif.; KAAD, Fort Worth, Tex.; KAAO, Denver, Colo.; KAAR, Englewood, Colo.; KAAZ, Los Angeles, Calif.; KABB, San Francisco, Calif.; KABD, Los Angeles, Calif.; KABE, St. Paul, Minn.; KABG, Los Angeles, Calif.; KABH, Shreveport, La.; KABJ, Omaha, Nebr.; KADB, Long Beach, Calif.; KAGM, Cape Girardeau, Mo.; KAID, Omaha, Nebr.; KAIE, St. Paul, Minn.; KAIH, Los Angeles, Calif.; KAIZ, Omaha, Nebr.; KALO, Salt Lake City, Utah; KAOG, Los Angeles, Calif.; KAOV, Beaumont, Tex.; KAQV, KAQW and KAQX, Omaha, Nebr.; KAQY, Wichita, Kans.; KAXA, Los Angeles, Calif.; KAXB, Oklahoma City, Okla.; KAXY, Fort Worth, Tex.; KAZA, Oklahoma City, Okla.; KBIB, Wichita, Kans.; KBIC, KBID, Salt Lake City, Utah; KBKC, Los Angeles, Calif.; KBLE, Long Beach, Calif.; KBQB, Juneau, Alaska; KBRG, Fargo, N. D.; KBSF, San Francisco; KBTA, Duluth, Minn.; KDRA, Denver, Colo.; KEGB, San Francisco, Calif.; KEHC, Topeka, Kans.; KEHV, San Francisco, Calif.; KEJR, Fort Worth, Tex.; KEMA, Shenandoah, Iowa; KEPE, Los Angeles, Calif.; KETV, San Francisco, Calif.; KFAA, Dallas, Tex.; KFDB, Amarillo, Tex.; KHTA, KHTB, Dubuque, Iowa; KIEF, KIEG, KIEL, Seattle, Wash.; KIFF, St. Louis, Mo.; KIFO, Long Beach, Calif.; KIGA, St. Paul, Minn.; KIIH, Lincoln, Nebr.; KIIS, Houston, Tex.; KILB, Shreveport, La.; KNED, Fort Worth, Tex.; KNEF, Salt Lake City, Utah; KQCB, Seattle, Wash.; KRME, Merced, Calif.; KRSA, San Francisco, Calif.; KSFQ, San Francisco, Calif.; KTSR, El Paso, Tex.; KWHB, Kansas City, Mo.; WAAI, Cleveland, Ohio; WAAK, Charlotte, N. C.; WAAQ, Cleveland, Ohio; WAAR, Rockford, Ill.; WABG, Memphis, Tenn.; WAHE, WAHF, Norfolk, Va.; WAIE, Beckley, W. Va.; WATD, South Bend, Ind.; WATS, Tallmadge, Ohio; WAUB, Nashville, Tenn.; WAUT, Evansville, Ind.; WAXE, Richmond, Va.; WAXJ, Jackson, Miss.; WBAO, WBAQ, New York, N. Y.; WBGL, Duluth, Minn.; WBNT, Columbus, Ohio; WBPA, Nashville, Tenn.; WBWB, Terre Haute, Ind.; WCBE, Charlotte, N. C.; WCBF, New York, N. Y.; WCBG, Chicago, Ill.; WCBN, New York, N. Y.; WCLA, Richmond, Va.; WDAJ, Tampa, Fla.; WEKH, Peoria, Ill.; WELR, Tuscola, Ill.; WEMC, Pittsburgh, Pa.; WEND, Harrisburg, Pa.; WENH, Detroit, Mich.; WEOY, Charleston, S. C.; WFME, Frederick, Md.; WFYA, Syracuse, N. Y.; WFYB, New York, N. Y.; WGBD, Columbus, Ohio; WGBE, WGBH, Syracuse, N. Y.; WHMK, Hagerstown, Md.; WHPA, Harrisburg, Pa.; WIEF, Miami, Fla.; WIEH, WIEK, New York, N. Y.; WIOE, WIOF, WIOG, Miami, Fla.; WIPL, WIPM, Indianapolis, Ind.; WJEK, Hagerstown, Md.; WJEN, WJEP, Rochester, N. Y.; WJER, Milwaukee, Wisc.; WJLF, Columbus, Ohio; WJRA, Detroit, Mich.; WKRB, Lexington, Ky.; WLOY, New Orleans, La.; WLWA, WLWB, WLWJ, Cincinnati, Ohio; WMEJ, Jacksonville, Fla.; WMFZ, Springfield, Ill.; WMVB, Dayton, Ohio; WMWB, Port Huron, Mich.; WNBJ, Cleveland, Ohio; WNEI, Indianapolis, Ind.; WOEB, Chicago, Ill.; WOEG, Schenectady, N. Y.; WPBK, WPBO, Portland, Me.; WRDI, Danville, Ill.; WTHB, Tampa, Fla.; WTNK, Trenton, N. J.; WGMA, Chicago, Ill.; WHER, Boston, Mass.; WHLL, Syracuse, N. Y.

W8XWI—Guy S. Cornish, area of Cincinnati, Ohio.—Granted renewal of Class II Experimental public address relay station license for the period October 1, 1942, to October 1, 1943 (B2-RARE-1).

WMNH—The Radio Voice of New Hampshire, Inc., Portable-Mobile, area of Manchester, N. H.—Granted license to cover construction permit which authorized a new relay broadcast station (B1-LRY-285).

Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, in no event later than November 1, 1942, of following station licenses:

W5XAU, WKY Radiophone Co., Oklahoma City, Okla.; W9XLA, KLZ Broadcasting Co., Denver, Colo.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than February 1, 1943:

KELO, Sioux Falls, S. D.; KGDE, Fergus Falls, Minn.; KMLB, Monroe, La.; KOOS, Marshfield, Ore.; WABI, Bangor, Me.; WAYX, Waycross, Ga.; WCPO, Cincinnati, Ohio; WIL, St. Louis, Mo.; WJRD, Tuscaloosa, Ala.; WLVA, Lynchburg, Va.; KADA, North of Ada, Okla.; KRLH, Midland, Tex.; WSKB, McComb, Miss.; KPOW, Powell, Wyo.; KVCV, South of Redding, Calif.; KVEC, San Luis Obispo, Calif.; KVOS, Bellingham, Wash.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than June 1, 1943:

KBND, Bend, Ore.; KCKN, Kansas City, Kans.; KHMO, Hannibal, Mo.; KMYR, Denver, Colo.; KOME, Tulsa, Okla.; KRJF, Miles City, Mont.; KUIN, Grants Pass, Ore.; KVSF, Santa Fe, N. Mex.; WEMP and auxiliary, Milwaukee, Wisc.; WEXL, Royal Oak, Mich.; WSOY, Decatur, Ill.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than April 1, 1943:

KANS, Wichita, Kans.; KASA, Elk City, Okla.; KBIZ, Ottumwa, Iowa; KFJI, Klamath Falls, Ore.; KGBS, Harlingen, Tex.; KIUL, Garden City, Kans.; KPPC, Pasadena, Calif.; KROY, Sacramento, Calif.; KWJB, South of Globe, Ariz.; KWOS, Jefferson City, Mo.; KXOX, East of Sweetwater, Tex.; WATN, Watertown, N. Y.; WCOV, Montgomery, Ala.; WJIM, Lansing, Mich.; WHAI, Greenfield, Mass.; WHBU, Anderson, Ind.; WJTN, Jamestown, N. Y.; WMFG, Hibbing, Minn.; WJEJ, Hagerstown, Md.; KGY, Olympia, Wash.; KALB, Alexandria, La.; KDON, Monterey, Calif.; KFOR, Lincoln, Nebr.

Granted renewal of following station licenses for the period ending in no event later than December 1, 1942:

KABR, Aberdeen, S. D.; WQBC, Vicksburg, Miss.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending not later than October 1, 1944:

KDYL and auxiliary, Salt Lake City, Utah; KGCU, Mandan, N. D.; KGLO, Mason City, Iowa; KGVO, Missoula, Mont.; KIT, Yakima, Wash.; KTRH, Houston, Tex.; WFVA, Fredericksburg, Va.; WJAS, Pittsburgh, Pa.; WKNE, Keene, N. H.; WIBA, Madison, Wisc.; KGBX, Springfield, Mo.; WEBC and auxiliary, Duluth, Minn.; KFBB, Great Falls, Mont.; KFJZ and auxiliary, Fort Worth, Tex.; KGGM, Albuquerque, N. Mex.; KHSL, Chico, Calif.; KOIL, Omaha, Nebr.; KVOR, Colorado Springs, Colo.; KRGV, Weslaco, Tex.

Granted renewal of following station licenses for the period beginning October 1, 1942, and ending in no event later than June 1, 1943:

KOCY, Oklahoma City, Okla.; WFBG, Altoona, Pa.; KFYO, Lubbock, Tex.; KRMD, Shreveport, La.

Granted renewal of following station licenses for the period ending in no event later than August 1, 1944:

KFKA, Greeley, Colo.; KFEL, Denver, Colo.

W8XO—The Crosley Corp., near Mason, Ohio.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than November 1, 1942.

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Granted renewal of license for the period ending in no event later than June 1, 1944.

Granted extension of following station licenses, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than November 1, 1942:

KAND, Corsicana, Tex.; KBTM, Jonesboro, Ark.; KDLR, Devils Lake, N. D.; KFBC, Cheyenne, Wyo.; KFXM, San Bernardino, Calif.; KGFJ, Los Angeles, Calif.; KGFW, Kearney, Nebr.; KHBG, Okmulgee, Okla.; KHUB, near Watsonville, Calif.; KWFC, Hot Springs, Ark.; WBBZ, Ponca City, Okla.; WCRW, Chicago, Ill.; KLS, Oakland, Calif.; KMAC, San Antonio, Tex.; KODL, The Dalles, Ore.; KOL, Seattle, Wash.; KRBA, Lufkin, Tex.; KROC, Rochester, Minn.; KSUN, Lowell, Ariz.; WFHR, Wisconsin Rapids, Wisc.; WFIN, Findlay, Ohio; WJBW, New Orleans, La.; WOCB, near Hyannis, Mass.; WSOC, Charlotte, N. C.; KBTM, Jonesboro, Ark.; KFGQ, Boone, Iowa; KFOX, Long Beach, Calif.; KVOL, Lafayette, La.; KVSO, Ardmore, Okla.; WAJR, Morgantown, W. Va.; WBRW, Welch, W. Va.; WCMI, Ashland, Ky.; WTRC, Elkhart, Ind.; WEDC, Chicago, Ill.; WTEL, Philadelphia, Pa.

Granted further extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than November 1, 1942:

WBRB, Red Bank, N. J.; WCAZ, Carthage, Ill.; WCOC, Meridian, Miss.; WEVD (auxiliary), New York, N. Y.; WFCI, Pawtucket, R. I.; WING, Dayton, Ohio; WMRO, Aurora, Ill.; WMUR, Manchester, N. H.; WNBZ, Saranac Lake, N. Y.; WSAR, Fall River, Mass.; WSPB, Sarasota, Fla.; WTJS, Jackson, Tenn.; WTSP, St. Petersburg, Fla.; KFJB, Marshalltown, Iowa; KVGB, Great Bend, Kans.; WGES, Chicago, Ill.; KBWD, Brownwood, Tex.; KCMC, Texarkana, Tex.; KFPY, Spokane, Wash.; KFRO, Longview, Tex.; KGIW, Alamosa, Colo.; KID, Idaho Falls, Idaho; KIEM, Eureka, Calif.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KSEI, Pocatello, Idaho; KSWO, Lawton, Okla.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KWKH, Shreveport, La.; KXL, Portland, Ore.; KBST, Big Springs, Tex.; KGGF, Coffeyville, Kans.; KGKL, San Angelo, Tex.; WBNX, New York, N. Y.; WCBT, Roanoke Rapids, N. C.; WCOP, Boston, Mass.; WFPG, Atlantic City, N. J.

Granted extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than December 1, 1942:

KCRJ, Jerome, Ariz.; KPFA, Helena, Mont.; WHBI, Newark, N. J.; WRAL, Raleigh, N. C.; KHBC, Hilo, Hawaii; WLBJ, Bowling Green, Ky.

MISCELLANEOUS

Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Texas.—Granted petition for a continuance of hearing in re application for a construction permit for a new standard broadcast station, now set for September 21, 1942, until October 8, 1942. (Docket No. 6218.)

WMAN—Richland, Inc., Mansfield, Ohio.—Granted petition for an extension of time within which to file proposed findings of fact and conclusions of law on application for renewal of license, now due on September 22, 1942, and extended the time until September 29, 1942. (Docket No. 6301.)

KITE—First National Television, Inc., Kansas City, Mo.—Granted petition for a continuance of hearing in re application for renewal of license, now set for September 21, 1942, and continues dais hearing until September 24, 1942. (Docket No. 6300.)

KIDW—The Lamar Broadcasting Co., Lamar, Colo.—Adopted Decision and Order denying renewal of station license. (Licensee, through failure to file corporation reports and to pay corporate license tax to State of Colorado, ceased to exist as a corporate entity on October 14, 1937. At Commission hearings on July 15, 1941, and October 8, 1941, for the renewal of license no appearance was made for the applicant. Since February 21, 1942, KIDW has had authority to remain silent.)

WNOE—WNOE, Inc., New Orleans, La.—Granted motion to dismiss without prejudice application for construction permit (B3-P-3446) to operate on **1060 kc.,** 50 KW.

W79C—Oak Park Realty and Amusement Co., Chicago, Ill.—Granted motion to vacate hearing and dismiss without prejudice application for modification of construction permit (B4-MPH-97).

Hawaiian Broadcasting System, Ltd., Honolulu, T. H.—Granted motion to dismiss without prejudice application (B-P-2978) for a new station.

Beauford H. Jester, Individually and as Trustee for W. W. Callan, et al., Waco, Texas.—Granted motion for order to take depositions in re application for a new station.

KXKX—First National Television, Inc., Kansas City, Mo.—Denied petition for 90 day continuance of hearing on application for renewal of license now set for September 24.

APPLICATIONS FILED AT FCC

590 Kilocycles

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—License to cover construction permit (B3-P-2938 as modified) which authorized change in frequency, increase power, installation of new transmitter and directional antenna for night use and move transmitter.

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Authority to determine operating power by direct method.

790 Kilocycles

WWNY—The Brockway Co., Watertown, N. Y.—Modification of construction permit (B1-P-3265 as modified) which authorized installation of directional antenna for night use, change of frequency, increase power, change hours of operation and move transmitter for extension of completion date from 10-16-42 to 12-16-42.

1170 Kilocycles

WWVA—West Virginia Broadcasting Co., Wheeling, W. Va.—Modification of construction permit (B3-P-2540 as modified) which authorized increase in power, change hours of operation, move transmitter, installation of new transmitter and directional antenna for night use for adjustment in directional antenna system for night use.

WWVA—West Virginia Broadcasting Co., Wheeling, W. Va.—License to cover construction permit (B3-P-2540 as modified) as above.

WWVA—West Virginia Broadcasting Co., Wheeling, W. Va.—Authority to determine operating power by direct measurement of antenna power.

1230 Kilocycles

WCOL—WCOL, Inc., Columbus, Ohio.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

KWOS—Tribune Printing Co., Jefferson City, Mo.—Authority to make changes in automatic frequency control equipment.

1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—Extension of special service authorization to operate with power of 5 KW employing directional antenna at night for the period 10-1-44.

1300 Kilocycles

WASH—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Modification of license to increase power from 500 watts to 5 KW, employing the directional antenna at night and using the transmitter as authorized under construction permit (B2-P-2874 as modified) for Station WOOD. Transmitter location to be RFD, south of Grand Rapids, Mich.

1340 Kilocycles

KOCY—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Relinquishment of control of licensee corporation through sale of 300 shares of stock to Plaza Court Broadcasting Co. (200 shares), John D. Thomas (50 shares), and C. E. Johnson (50 shares).

1490 Kilocycles

KEYS—Earl C. Dunn and Charles W. Rossi, d/b as Nueces Broadcasting Co., Corpus Christi, Teaxs.—Voluntary assignment of license to Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co.

FM APPLICATION

W49D—John Lord Booth, Detroit, Mich.—Modification of construction permit (B2-PH-20 as modified) which authorized construction of new high frequency broadcast station for extension of completion date from 10-11-42 to 1-11-43.

TELEVISION APPLICATION

WTZR—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PCT-9 as modified) which authorized construction of new television broadcast station requesting extension of commencement and completion dates.

MISCELLANEOUS APPLICATION

W7XER—Midland Broadcasting Co., Kansas City, Mo.—Construction permit to install new transmitter and increase power from 1½ kilowatts to 3 kilowatts.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Amogen Co., 147 North St., San Antonio, Tex., engaged in the advertising and sale of a medicinal preparation designated "Amogen Tablets," is charged in a complaint with false advertising and misrepresentation. (4836)

George & Thomas Cone Co., manufacturer of ice cream cones, Sharon, Pa., is charged in a complaint with use of lottery methods in the sale of his products. (4837)

Glover & Wilson, Little Rock, Ark., engaged as brokers in the sale of food products, are charged in a complaint with violation of the brokerage section of the Robinson-Patman Act. (4835)

J. T. Jarrell Company—A supplemental complaint has been issued charging violation of the brokerage section of the Robinson-Patman Act against Jim S. Porter, trading as J. T. Jarrell Co., Little Rock, Ark. Subsequent to the issuance of the original complaint against J. T. Jarrell Co., a corporation, the corporation was dissolved and its vice president and principal stockholder, Jim S. Porter, continued to operate the business of J. T. Jarrell Co., in the same manner and form as when it was a corporation. (4547)

Mono Service Co., 349 Oraton St., Newark, N. J., engaged in the manufacture of paper cups for the packing of ice cream, is charged in a complaint with supplying others with the means of conducting lotteries in connection with the sale of its products and ice cream. (4834)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Baer Laboratories, Inc., 30 East 20th St., New York, engaged in the preparation, sale and distribution of a medical preparation designated "Sulfuraid-21," has been ordered to cease and desist from misrepresentations concerning the product. (4686)

Maurice J. Engel, 146 West 29th St., New York, has been ordered to cease and desist from misrepresentation in the sale of knife blades used by the fur industry. (4490)

Norfolk Mattress Co., Inc., Norfolk, Va., manufacturer and distributor of mattresses, pillows, bedsprings, and studio couches, which it brands or labels "Dr. Ezera Storm" or "Dr. Ezera Storm's," has been ordered to cease and desist from misrepresentation in the sale of its products. (4488)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

General Automotive Specialty Co., Inc., Long Island City, N. Y., engaged in the sale and distribution of switches for use in connection with electrical devices or equipment, has stipulated that it will cease and desist from use of the words "bakelite base" as a designation for or as descriptive of any switch not equipped or provided with a bakelite base, and from use of the word "bakelite," either alone or in connection with any other words, to describe any part of an electrical switch not composed of bakelite. (3526)

Felix Girard Co., Inc., 2013 Fourth Ave., South, Minneapolis, Minn., engaged in the manufacture of insecticides and a rat and mouse poison designated "Red Cross Rat and Mouse Embalmer," has stipulated in connection with the sale and distribution of its products, to cease and desist from use of the word "Embalmer" or words of like meaning as descriptive of a product which, when fed to rats or mice, will not embalm their bodies, that is, preserve such bodies and prevent their decay; representing by statements such as "World's Leading Rodenticide" that their products lead all other rat and mouse poison throughout the world either in volume of sales or merit; use of the statement "Each pound of the Embalmer is guaranteed to clear 5,000 square feet of infested floor space," or any other statement or representation to the effect that it can be depended upon to destroy or eradicate all rats or mice in or from buildings or the floors or walls thereof; use of the word "Guaranteed" or any words of similar meaning in connection with the advertising or sale of its product, unless, whenever used, clear and unequivocal disclosure be made in direct connection therewith, of exactly what is offered by way of security; use of any guaranty unless strict and complete performance be made therewith; and use of any unwarranted statement or representation having the capacity or tendency to disparage or discredit competitors. (3530)

Edwin F. Nickol, Inc., Versailles, Ohio, engaged in the sale and distribution of monuments and grave vaults, including reinforced concrete vaults supplemented with either marble or granite covers, has stipulated to discontinue use of any statement or representation, the effect of which tends or may tend to convey the belief that its burial vaults or memorials are everlasting or will endure forever; or that the carvings on such memorials will forever withstand the ravages of time and water. (3529)

Puritan Knitting Mills Corp., Altoona, Pa., engaged in the manufacture of sportswear, including sweaters, has stipulated in connection with the sale and distribution of its products, to cease using the words "Shetlana" or "Shetlanas" or any other word or term connoting "Shetland,' either alone or in conjunction with other words, to describe any yarn, garment, or fabric which is not the wool of, or made from the wool of, Shetland sheep grown on the Shetland Islands or the contiguous mainland of Scotland. (3527)

Savoy Luggage Shop, Savoy Luggage Manufacturing Co., and Savoy Trunk & Leather Goods Manufacturing Co., 60 East 59th Street, New York, engaged in the sale and distribution of luggage and other merchandise, has stipulated to cease and desist from representing as the customary or regular retail prices of his merchandise prices which in fact are fictitious and in excess of the prices at which such merchandise is regularly sold at retail, or using fictitious price labels or markings on his merchandise or on the packaging thereof; representing directly or inferentially that the prices at which he offers for sale or sells his merchandise constitute a discount to purchasers when, in fact, they are the usual and customary prices at which he sells his merchandise; describing or representing his business as a wholesale business or representing that the prices at which he sells his merchandise are wholesale prices; using or disseminating any so-called discount cards or similar devices purporting to enable the holder to receive a discount or other financial advantage in the purchase of merchandise when the holder does not receive a discount, deduction, or other material financial or trade advantage based upon the actual prices at which the merchandise is usually sold; using the word "manufacturing" or any word or words of like meaning as part of his trade name, and using such words in any manner to convey the belief that he actually owns, operates or controls the factory or factories in which the merchandise sold by him is made or manufactured. (3531)

Spiegel, Inc., 1061 West 35th St., Chicago, engaged in the sale and distribution of merchandise, including women's coats, has entered into a stipulation in which it agrees to cease and desist from use of the term "Fur Fabric" as descriptive of garments manufactured from fabrics composed of fibers other than fur; and from the use of the word "Fur" or any fur-connoting word, either alone or in connection with the word "fabric," so as to convey the belief that such garments are made or manufactured from the fur of fur-bearing animals or from a fabric made of fur; and from advertising, selling, or distributing garments composed of fibers other than fur under any representations or conditions of deceptive concealment whereby purchasers or the consuming public may be misled into buying such garments in the belief that they are composed of fur. (3528)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 39, October 2, 1942

NAB BOARD MEETING

The NAB Board of Directors held a two-day session in Chicago, September 24-25. The entire Board with the exception of Paul Morency, Ted Taylor and Paul Kesten were in attendance.

Three stations, KFAR, Fairbanks, Alaska, KLUF, Galveston, Texas, and KTHS, Hot Springs, Arkansas, as well as the National Broadcasting Company, were elected to membership.

Frank M. Russell, NBC Vice President, nominated by NBC, was elected as a network Director on the NAB Board representing that company.

A project involving the study of advertising as an instrument of economic development and social progress was approved by the Board and the support of NAB was pledged.

The subject of radio personnel and the effect of the Selective Service was discussed at length and plans were perfected to inform broadcasters regarding procedure to protect key personnel. It was also agreed that efforts to impress upon Selective Service officials the importance of maintaining efficient personnel in key positions in broadcasting should be continued.

The problem of essential materials to maintain broadcasting was reported and measures adopted to insure proper presentation of the subject to the appropriate governmental agencies. The Board expressed the opinion that broadcasters should undertake a program for the training of women to replace men in key positions.

A public relations plan submitted by President Miller received approval of the Board and steps are immediately being gotten under way to fill the vacancy occasioned by the resignation of Edward M. Kirby, now a Lieutenant Colonel in the Army.

A series of District meetings to be held this fall was approved and the following tentative schedule adopted:

Tentative Schedule for 1942 District Meetings

Following are the Districts, Places, Days, and Dates for 1942 Meetings:

1—Worcester, Mass., Monday, Oct. 19 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont).

4—Pinehurst, N. C., Friday-Saturday, Oct. 23-24 (District of Columbia, Maryland, North Carolina, South Carolina, Virginia, West Va.).

5—Jacksonville, Fla., Monday-Tuesday, Oct. 26-27; Atlanta, Georgia, Wednesday-Thursday, Oct. 28-29 (Alabama, Florida, Georgia, Puerto Rico).

6—Nashville, Tenn., Friday-Saturday, Oct. 30-31 (Arkansas, Louisiana, Mississippi, Tennessee).

13—Dallas, Texas, Monday-Tuesday, Nov. 2-3 (Texas).

12—Tulsa or Oklahoma City, Wednesday-Thursday, Nov. 4-5 (Kansas, Oklahoma).

14—Salt Lake City or Ogden, Monday-Tuesday, Nov. 9-10 (Colorado, Idaho, Utah, Wyoming, Montana, western South Dakota).

Harrison Holliway

The sudden and untimely death of Harrison Holliway came as a distinct shock. Although but 42 years old, Harrison was one of the radio industry's real veterans, having been engaged in various capacities with western stations for over 25 years. His death came after a short illness, although he had not been in the best of health for the past two years.

The high regard in which Mr. Holliway was held by his fellow broadcasters was evidenced by his election as NAB Director for the 16th District, embracing southern California, Arizona and New Mexico. He retired from the Board this year largely on account of his health. At the time of his death he was executive head of Radio Stations KECA-KFI.

In his passing the radio industry has lost a splendid character and one who contributed largely to the betterment of the industry. Mr. Holliway is survived by his widow, Edna O'Keefe Holliway, a daughter, Victoria, 3 months old, and two sons by a previous marriage, Harrison, 2d, aged 10, and Kingan, aged 8.

16—Los Angeles, California, Thursday-Friday, Nov. 12-13 (Arizona, southern California, New Mexico).

15—San Francisco, California, Monday-Tuesday, Nov. 16-17 (northern California, Nevada, Hawaii).

17—Portland or Seattle, Thursday-Friday, Nov. 19-20 (Alaska, Oregon, Washington).

11—Minneapolis, Minn., Tuesday-Wednesday, Nov. 24-25 (Minnesota, North Dakota, eastern South Dakota, western Wisconsin, Ironwood, Mich.).

10—Des Moines, Iowa, Friday-Saturday, Nov. 27-28 (Iowa, Missouri, Nebraska).

9—Chicago, Illinois, Monday-Tuesday, Nov. 30-Dec. 1 (Illinois, southern and eastern Wisconsin).

8—Indianapolis, Indiana, Wednesday-Thursday, Dec. 2-3 (Indiana, all of Michigan except Ironwood).

7—Columbus, Ohio, Friday-Saturday, Dec. 4-5 (Kentucky, Ohio).

2—New York, N. Y., Monday-Tuesday, Dec. 7-8 (New York, New Jersey).

3—Philadelphia, Pennsylvania, Wednesday-Thursday, Dec. 9-10 (Delaware, Pennsylvania).

Complete plans for these meetings will be perfected and announced in the near future.

Of course AFM and Mr. Petrillo came in for lengthy discussion. Sydney Kaye, NAB counsel in the AFM matter,

(Continued on page 578)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

NAB BOARD MEETING

(Continued from page 577)

reported on the work which is being done in public relations, legal and legislative fields in regard to this matter. It was felt that satisfactory progress is being made and that efforts along the present lines should be continued.

A resolution expressing regret at the shocking news of Harrison Holliway's death and expressing deepest sympathy to his family and business associates was adopted by the Board.

The Board adopted a resolution pledging the continued cooperation of the industry in the war effort and renewed devotion to service in the public interest.

Following the regular session of the Board an executive session was held at which internal association matters and personnel were discussed. It was voted to hold a special session of the Board on October 13 or 14 in Chicago to further discuss these internal matters with particular reference to personnel and policies.

NAB ASKS EXEMPTION FROM PREMIUM PAY ORDER

At the direction of the Wage and Hour Committee, the NAB is asking the Labor Department to exempt the broadcasting industry from President Roosevelt's Executive Order on premium pay.

The Wage and Hour Committee, at a meeting Wednesday in Washington, found that the only substantial effect the order would have on the broadcasting industry would be to require those stations not now paying time and one half for holiday work to do so.

Since the broadcasting industry, like public utilities, operates normally on a 365-day-year and a seven-day-week, the effect of the order on the industry would be directly contrary to one of the broad purposes of the order—to combat inflation.

The Wage and Hour Committee agreed that the industry was covered by the Order, which is applicable to "work related to the prosecution of the war."

Most of the provisions of the order, effective October 1, do not affect broadcasting stations. It provides:

(1) Payment of time and one half for all work on New Years Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and either Memorial Day or one other such holiday of greater local importance.

(2) Payment of double time on the seventh consecutive day of work unless there is an agreement between employer and employees which provides for at least one whole day off in each regular week. For instance, double time need not be paid for the seventh day in such a case as this: An employee's regular day off was Saturday, in a regular work week which started Sunday morning. He took Saturday off, as usual, in week "A." In week "B" by agreement, he took Wednesday off. In week "C" he went back to Saturday off. In this case, he need not be paid double time for Wednesday in week "C."

(3) There is to be no time and one half or double time for Saturday and Sunday work just because of the name of the day.

(4) In all other respects, the terms of the Wage and Hour Act and of union contracts, if any, prevail. For instance, time and one half for overtime over 40 hours a week prevails. If a union contract provides for time and one half after eight hours in any single day or time and one half on the sixth day, that contract prevails.

Members of the Wage and Hour Committe at the meeting:

C. T. Lucy, WRVA, chairman; James B. Rock, KDKA; Quincy A. Brackett, WSPR; and A. K. Redmond, WHP.

Selective Service

MANUAL ON PRESS

The list of 34 essential activities, which includes radio broadcasting under "Communications," was attached to the amendment of Local Board Release 115 made July 11, 1942, and released July 15, 1942, as Local Board Release 137. In filling out Form 42-A ("Affidavit—Occupational Classification (Industrial)) reference should be made to Local Board Release 137 under the question "Description of the Activities of this Company." The following language is suggested:

"Communications, — radio broadcasting. (See Local Board Release 115, as amended by LBR 122, 4/11/42, and LBR 137, 7/15/42. In the List of Essential Activities attached to LBR 137, under the title "Communications," radio broadcasting is designated an essential activity.) See Exhibit A*, attached, for analysis of this station's broadcasting operations essential to the support of the war effort."

Enclosed with the issues of NAB Reports is a planographed copy of the first page of LBR 137. This may be attached to Form 42-A to insure local board's making proper reference to the List of Essential Activities. Extra copies are available at NAB upon request.

NAB is preparing a "Selective Service Handbook" to assist stations in requesting occupational deferment of "key" men. It will contain pertinent excerpts from the Selective Service Act and Regulations, Local Board Releases, a dummy Form 42-A, and authoritative procedure for prosecuting claims for occupational deferment. It should be off the press next week.

SELECTIVE SERVICE OFFICIALS VISIT STATIONS

On Friday, September 25, officials from National Headquarters of the Selective Service System made an inspection tour of four Washington, D. C. broadcast stations. The trip was arranged by NAB to familiarize them with broadcast station operations and the difficulties encountered in training replacement technicians and other key personnel on short notice. Russell Place and Howard Frazier of NAB accompanied the group.

The officials appeared to be deeply impressed and it is believed similar tours arranged by broadcasters for local boards having jurisdiction over their key personnel would be helpful. Stations located in or near state capital cities can be of real service to the industry by sponsoring these inspection trips for the State Director and Occupational Advisers from their Selective Service State Headquarters.

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*Exhibit A should include list of typical month's government programs and spots.

GAS AND TIRE RATIONING

Merging of the gasoline and tire rationing programs into a single system to control mileage of the nation's passenger autos according to essentiality of use was announced today by Price Administrator Leon Henderson to become effective throughout the country probably about Nov. 22.

The rationing of gasoline will follow the plan now in operation for the seven and a half million autos in the East, with each of the nation's 27 million cars getting a basic A-book allowance of enough gas for 2880 miles of family necessitous and occupational use for a year. Additional gasoline will be allowed only on proof of need and in quantities strictly limited to the degree of essentiality to the nation's war effort.

This gasoline rationing system will then be meshed into the tire rationing program to bring the overall mileage of America's autos within the limits of the available rubber supply, with use of tires being limited to essential transportation needs of the country. Observance of a 35 mile per hour maximum speed limit will be a basic requirement in both gasoline and tire ration allowances.

The new nation-wide mileage rationing plan has been under intensive development in OPA in anticipation of the need, since publication of the Baruch Committee's rubber conservation report on September 10. These advance preparations make it possible to have the system in operation some two weeks sooner than otherwise would have been possible, Mr. Henderson said.

Some 20 million passenger cars outside of the present gasoline rationed area will be brought under mileage rationing when the plan goes into effect, Mr. Henderson said. He estimated that mileage rationing would cut the use of private cars an average of almost 60 per cent from normal.

Owners of cars in the as yet unrationed area will be required under the plan, to register and will receive a basic gasoline ration for their cars allowing 2880 miles per year at the present value of the coupons, assuming 15 miles to the gallon. The time and places for this registration will be announced later.

Additional mileage up to 470 miles a month may be obtained by the motorist who can show that the "A" book is not sufficient to meet his occupational needs, and who shows either that he has formed a carsharing club to keep his car filled to capacity while in use, or that he has been unable to do so and that there is no other means of transportation available to him.

A special "preferred mileage" category is provided for 14 types of occupations deemed essential to the war effort and to the public health and safety. These rations issued through a "C" book, are tailored to meet the proven need, without a specific ceiling on the mileage. Tires on all cars must be submitted to OPA for on-wheel inspection every 60 days to insure proper care.

The deviations from the present ration system in the East will not be great, since the East Coast plan was designed for possible nation-wide extension as a mileage rationing plan. It already has reduced average passenger car mileage near to the objective of 5000 miles set by the Baruch report. The changes required for the rest of the country will be incorporated in the Eastern plan when nation-wire mileage rationing becomes effective so that all cars throughout the country will be operating under a single set of rules, Mr. Henderson said.

The rationing of gasoline to the 20 million additional cars in the nation will require manufacture of thousands of tons of safety paper, a major printing job, and the setting up of an extensive nation-wide machinery to issue the books and handle the supplementary applications. Local War Price and Rationing boards will be asked to augment their staffs with temporary volunteer workers to handle the extra work, and instructions for doing this will be sent to them well in advance of the registration period, Mr. Henderson said.

Supplying the necessary coupons and forms and organizing for the gigantic undertaking is a task that will require more than six weeks to complete, Mr. Henderson estimated. He said orders have been placed for the safety paper and the printing of 60 million books of gasoline ration coupons, 91 million gummed sheets for preservation of the coupons as the service stations receive them from the motorists, 60 million application forms, and some 100 million copies of audit control forms, regulation books, and instruction guides and other necessary forms.

Sales

SALES MANAGERS EXECUTIVE COMMITTEE MEETS

The Sales Managers Executive Committee, advisory body to the NAB Department of Broadcast Advertising, met in Chicago on September 23 and 24. In addition to Chairman John M. Outler, Jr., WSB, the following Committee members were present: Arthur Hull Hayes, CBS, New York; Frank R. Bowes, WBZ, Boston, Mass.; William Malo, WDRC, Hartford, Conn.; Dietrich Dirks, KTRI, Sioux City, Ia.; Donald D. Davis, WHB, Kansas, City, Mo., and George H. Frey, NBC, New York.

Invited to attend were Sherman Gregory of NBC, William Gillespie of KTUL, Tulsa, and Walter Johnson of WTIC, Hartford. Sheldon Coons, retail advertising consultant, also attended.

Methods of securing a larger share of the retailers' advertising budget were discussed. Important plans will be revealed shortly.

Lewis H. Avery, newly appointed director of the Department of Broadcast Advertising, was introduced to the Committee and attended all of the sessions. Mr. Avery will report to his new position on October 1.

A general discussion regarding the effect of the war upon broadcast advertising took place, and reports indicate a most healthy condition.

Problems growing out of the criticism which has been leveled at radio by certain magazines and newspapers were discussed at length. The Committee felt that while most of the criticisms were unfair and to some extent exaggerated, there is need for careful scrutiny on the part of all stations as well as commercial managers of the content and length of commercial announcements.

As the result of a general discussion of a practice that appears to be growing more prevalent, the Sales Managers Executive Committee adopted the following resolution which is self-explanatory:

Whereas

The Sales Managers Committee of the National Association of Broadcasters is charged with the duty and responsibility of fostering and developing revenue-producing ideas for radio broadcasting; which duty and responsibility also involves an observation and analysis of practices which can have a deleterious effect on the future of our several businesses, and

Whereas

There has been noticed an occasional tendency on the part of some radio broadcasters, either deliberately or inadvertantly, to couple two or more announcements in the same spot on a schedule and

Whereas

This is against the best interests of the listener, the advertiser and the station, and provides a further opportunity for pointed criticism of radio broadcasting as an advertising medium; and, moreover, produces distrust on the part of the advertiser or his agency in the verity of our operation, therefore

Be It Resolved

That the Sales Managers Committee of the National Association of Broadcasters condemns such practise of double spotting and that while we hold that it is the privilege and prerogative of station operation to manage available business according to individual lights, we do most earnestly recommend the elimination of this abuse in the common interest and for the common good.

ADVERTISING EXEMPTION

In an earlier issue of the REPORTS (p. 515) a statement issued by Paul West, President of ANA, told of the results of a conference with Internal Avenue Commissioner, Guy T. Helvering, with regard to the subject of exemption of advertising costs from tax liability. The following official statement has now been issued by Commissioner Helvering:

"To be deductible, advertising expenditures must be ordinary and necessary and bear a reasonable relation to the business activities in which the enterprise is engaged. The bureau recognizes that advertising is a necessary and legitimate business expense so long as it is not carried to an unreasonable extent or does not become an attempt to avoid proper tax payments.

"The bureau realizes that it may be necessary for taxpayers now engaged in war production to maintain, through advertising, their trade names and the knowledge of the quality of their products and good-will built up over past years, so that when they return to peacetime production their names and the quality of their products will be known to the public.

"In determining whether such expenditures are allowable, cognizance will be taken of (1) the size of the business, (2) the amount of prior advertising budgets, (3) the public patronage reasonably to be expected in the future, (4) the increased cost of the elements entering into the total of advertising expenditures, (5) the introduction of new products and added lines, and (6) buying habits necessitated by war restrictions, by priorities, and by the unavailability of many of the raw materials formerly fabricated into the advertized products.

"Reasonable expenses incurred by companies in advertising and advertising technique to speed the war effort among their own employes, and to cut down accidents and unnecessary absences and inefficiency, will be allowed as deductions.

"Also reasonable expenditures for advertisements, including the promotion of Government objectives in wartime, such as conservation, salvage or the sale of war bonds, which are signed bv the advertiser, will be deductible provided they are reasonable and are not made in an attempt to avoid proper taxation.

"No definite rule for determining what is reasonable in the case of expenditures for advertising can be laid down in advance so as to fit all situations and all classes of taxpayers. In determining whether the amounts are reasonable it is necessary to take into consideration all the facts and circumstances in each particular case.

"The bureau will consider applications for individual rulings."

PER-INQUIRY OFFERS

Not only are P-I offers contrary to the Code of Ethics of the broadcasting industry, but investigation has also disclosed that much of the merchandise and many of the services offered are of doubtful or questionable value.

The Shaffer Brennan Margulis Advertising Co. of St. Louis, Mo., is at it again. S. I. Rosenfeld asks stations to carry a P-I deal for Paramount Hosiery of Lexington, N. C. He says that his client operates strictly legitimately, meaning that they fill orders promptly. But P-I deals are not consistent with good radio advertising ethics. Stations are again importuned not to accept this or any other P-I offer.

The Guenther Bradford & Co. advertising agency, Chicago, is seeking per-inquiry deals for their client, Dendex Co., Los Angeles, who are selling dental plate "reliners."

The United Advertising Companies, Chicago, are sending P-I requests to the stations for a game called "Battlecheckers" and for "Sinasiptec," a sinus medical aid.

The Radio Sales Co., Nestor, Calif., is submitting a per-inquiry offer to radio stations for the purpose of promoting "Stop-a-Leak," a solution to preserve motor tires.

Engineering

VACUUM TUBE REPAIR FACILITIES

The NAB Engineering Department has been conducting an investigation of the facilities available for the repair of vacuum tubes. The firms listed below have notified NAB of their willingness to accept for repair the types indicated and reports from stations using these tubes show satisfactory life from repaired tubes. Several additional manufacturers are now preparing repair facilities which will be announced in the near future.

Every effort has been made to make this directory complete; any omissions are not intentional and should be brought to the attention of the Engineering Department.

Please communicate directly with the organizations listed for detailed information concerning delivery, preference rating required, guarantee and prices.

Freeland & Olschner, Inc., 922 Howard Avenue, New Orleans, Louisiana. Phone: Raymond 4756. Types repaired: All tubes in general use, 250 watts or larger.

General Electric Co., Radio, Television and Electronics Dept., 1 River Road, Schenectady, New York. Types repaired: 207, 891, 892.

Garrett W. Lewis, Route 3, Los Gatos, California. Types repaired: 100T, 204A, 207, 212E, 220B, 220C, 228A, 232A, 250T, 251A, 279A, 450T, 806, 849, 869A, 869B, 872A, 891, 891R, 892, 892R, 893, 893R.

RCA Manufacturing Co., Mr. Harold Vance, Tube and Equipment Division, Camden, New Jersey. Phone: Camden 8000. Types repaired: 207, 891, 891R, 892, 892R.

PRIORITIES

Preference Rating Order, P-129, which authorized a Preference Rating of A-1-j on replacement items containing copper expired on September 30, 1942.

It is expected a new Preference Rating Order, P-133 will be announced within the next few days. The proposed order will assign a Preference Rating of A-1-j to all tubes, parts and essential materials necessary to maintain broadcast station operation. Plans are also under way to allocate materials and manufacturing facilities to make available vacuum tubes to broadcasters on the A-1-j Preference Rating. This should eliminate the necessity in most instances of filing PD-1A applications. Complete details of P-133 will be published when released by WPB.

CONSERVATION OF "VINYLITE"

In recent months it has become increasingly difficult to obtain "Vinylite", the thermoplastic used for the manufacture of radio transcriptions. This is due to the greatly increased use of "Vinylite" resin for war production. This material has been placed under strict control by the War Production Board by their General Preference Order M-154. This order permits the allocation of "Vinylite" for radio transcriptions after provision has been made for filling war orders.

We believe that there will be sufficient "Vinylite" for the radio transcription industry for some time to come, requiring very little, if any, new "Vinylite", provided the radio stations will return the transcription discs to the manufacturer for refabrication after they have served their purpose.

It is essential that all stations return transcription discs to the manufacturer in order that "Vinylite" may be conserved and the flow of transcriptions maintained. The various transcription manufacturers have given stations instructions on minimum quantities of transcriptions to be returned and whether by express or otherwise. Station operators are urged to comply strictly with these instructions.

FEDERAL COMMUNICATIONS COMMISSION

FLY'S PRESS CONFERENCE

Questioned at a press conference early this week as to whether or not the FCC intended to try and unfreeze various materials chairman James Lawrence Fly of FCC said. "I don't know whether they will succeed in doing so or not."

Discussing the conservation of equipment Mr. Fly told the newsmen, "that's in the hands of Industry Committees and I think they will be out with that in the course of a few days, and we ought to have some outward progress on that pretty soon."

The Chairman said he thought it a matter of real importance and should be gotten through the Board of War Communications to the WPB, "because after all we do have a serious situation on the conservation of materials, and I think it is of real interest to have a record of cooperation with the WPB in terms of conservation."

The question of manpower Mr. Fly told the conference is in the hands of industry committees and, "I would guess that industry itself is pretty well informed on the status of it since their representatives are working on the matter. I imagine they will present it to the Board within a week or so." Mr. Fly said this will include definitions and classification and when completed will be turned over to the other agencies. "As you know," the chairman said, "that is being worked out by the Industry Committees themselves and I think they are moving right along with the work, and it is my impression that it's in good shape and I guess they will get it before the Board and move along."

ARMY RADIO LISTENERS FAVOR DANCE MUSIC, NEWS AND COMEDY

The average soldier prefers radio programs of dance music, news broadcasts, comedy programs and sports events, and doesn't care too much for serial dramas, operas, symphonies or hill-billy music, according to a survey conducted in Army camps throughout the United States by the Research Branch, Special Service Division, the War Department announced today.

Approximately one soldier out of six owns a radio, the survey disclosed, and slightly more than half of the men listen to a program at some time during a typical weekday. Forty per cent said there are certain programs they would like to hear but cannot, the chief reasons being that there is no radio convenient, that programs come through when they are unable to listen, or that they have difficulty in getting the stations that carry them.

For some reason, more soldiers listen on Thursday than on any other weekday, and of those who listen on this day, 26 per cent tune in on morning programs, 29 per cent during midday hours and 52 per cent in the evening.

The listening peak on a typical weekday morning is from 6:15 to 7:00 o'clock; at midday from 12:15 to 12:45, and in the evening from 7:00 to 8:30 o'clock. The majority listen to programs in their barracks.

Popular music, sweet and dance music, is the favorite program, the survey showed, with 87 per cent of the soldiers questioned expressing a like for this type of broadcast, 3 per cent expressing dislike and 10 per cent expressing no opinion.

Second in popularity are news broadcasts, reports and comments on current happenings, liked by 86 per cent, disliked by 3 per cent and 11 per cent expressing no preference.

Comedy programs, gags, skits and funny plays are liked by 85 per cent, disliked by 4 per cent, and 11 per cent voiced no opinion.

Sports broadcasts, news and reviews of athletic activities are liked by 69 per cent, disliked by 10 per cent, and no opinion from 21 per cent.

Variety programs, offering several different kinds of entertainment, are favored by 66 per cent, disliked by 9 per cent, and no opinion from 25 per cent.

Popular music of the swing type, hot, scat and jive, are approved by 62 per cent, disapproved by 16 per cent, and 22 per cent expressed no opinion.

Radio plays, complete in one broadcast, are also approved by 62 per cent, disliked by 13 per cent, and 25 per cent voiced no opinion.

Old familiar music, ballads, folk songs and tunes of long ago, are liked by 57 per cent, disliked by 15 per cent, and no opinion from 28 per cent.

Quiz programs are also liked by 57 per cent, disliked by 17 per cent and no preference by 26 per cent.

Hill-billy and western music are approved by 42 per cent, disapproved by 33 per cent, and no opinion from 25 per cent.

Special event programs, including on-the-spot descriptions of ceremonies and other events, are favored by 39 per cent, disliked by 22 per cent, and no opinion from 39 per cent.

Classical music, broadcasts of symphonies, opera and other "serious" music are approved by 32 per cent, disliked by 35 per cent, and 33 per cent expressed no preference.

Serial dramas, stories that are continued from one broadcast to another, are approved by only 16 per cent, while 57 per cent disliked such broadcasts and 27 per cent expressed no opinion.

FCC STATION LICENSE RENEWALS

Inquiries are reaching NAB as to the reason for many renewal licenses being issued for periods of less than two years. In some instances 8 months, 6 months, 4 months, etc.

We are informed that in general these short-term renewals are not significant. The Commission is merely staggering the next renewal date in accordance with the order establishing the new license periods by frequencies, as amended on October 11, 1941, by action of the Commission.

BILL LEWIS IN CLOSED CIRCUIT TALK

William B. Lewis, chief of the radio bureau, OWI, is to address broadcasters on closed circuits on Friday, October 2, on the subject of OWI Regulations No. 2. From 12:45 to 1:00 p. m. he will speak over NBC and MBS from 4:15 to 4:30 p. m. over CBS and Blue.

Programs for Victory

FIRE PREVENTION WEEK BEGINS SUNDAY

Broadcast promotion of Fire Prevention Week, October 4-10, is lined up coast to coast. This year's emphasis is placed, by OCD, upon damage done by the war effort through the destruction or injury by fire of materials, dwellings or other structures.

BOOKLETS TO PASS 10,000,000 MARK

The third print order for "What Can I Do" booklets, advertised gratis by broadcast stations and published by OCD, is soon to be placed.

Within six days after news of the booklet reached stations, the original five million order was upped four million. Marvin Beers says OCD is now on the verge of ordering again.

The V-Home angle is being used by stations wherever local OCD councils are prepared. Stations are urged to continue the promotion of "What Can I Do" in order to insure maximum distribution of this booklet which is highly important to the war effort. Director Landis will authorize printing of additional booklets as long as demand persists.

OK SPONSORSHIP OF NAVY ET

Sponsorship of Navy's weekly transcribed programs, "Man Your Battle Stations," has been authorized by the Chief of Naval Personnel, by direction.

The matter will be explained in detail in a memorandum to all stations dated October 5, and attached to the weekly folio of Navy announcements.

COL. MARRINER ON ARMY HOUR

The Army Hour, broadcast over NBC stations, on October 11, will feature Army Air Forces Communications.

Colonel A. W. Marriner, Air Forces Director of Communications, will be among those appearing on the program.

VARIED PROMOTIONS SELL BONDS AT WMAQ

Everything from a thirty-piece brass band, playing on the drive overlooking the Chicago River to an effigy of Hitler has been used by WMAQ, NBC's Chicago station, in helping to sell several hundred thousand dollars worth of war bonds to date.

WMAQ recently completed a three-week contest among five of its top announcers—Bob Brown, Cleve Conway, Charlie Lyon, Fort Pearson and Louis Roen—in which each of the announcers had fifteen minutes on the air one day a week and a full-hour at the WMAQ Bond Booth in the main lobby of the Merchandise Mart one noon each week. In three weeks, the announcers sold some $50,000 worth of bonds over the counter during the noon periods alone, not counting direct sales by mail to radio listeners. Purchasers got to hit a dummy of Hitler, and Chicago radio artists entertained at the booth.

Then Chicago members of AFRA, the Chicago Federation of Musicians, and the Radio Writers' Guild came forward with the offer to stage a big variety show of their own on WMAQ late one night. The program went on the night of September 19, and brought some $25,000 in pledges to buy bonds.

On the night of September 28, WMAQ joined WBBM, WGN, WENR, WCFL, WIND, WJWC and other Chicago stations in broadcasting another big variety show for which Chicago radio, stage, night club and screen artists donated their talent. More than $360,000 worth of bond sales in Chicago alone were reported, and the 24 downstate stations which carried the program had not yet reported.

In addition, the WMAQ-NBC Central Division, with 270 employees, is 100 per cent pledged to payroll deductions for bond purchases, and now each of the employees is out to sell $100 worth of bonds to an outsider, which would net $27,000 more in sales.

NEW PROGRAM HEAD AT KDKA

New Program Manager for KDKA, Pittsburgh, is Robert E. White, formerly chief announcer of WBZ-WBZA. Appointment was announced last week by James R. Rock, General manager, KDKA. Last year Mr. White won the H. P. Davis Memorial Award as the outstanding announcer in the eastern time zone.

WTAD GETS THE MONEY

WTAD, Quincy, Ill., staged a war bond rally Thursday night, September 24, which produced sales and pledges of $358,400.

C. Arthur Fifer, general manager, explained that the staff of WTAD raised $242,243 of this amount prior to the opening of the rally.

The entertainment consisted of a name orchestra, Freddy Nagel, with a member of WTAD's staff conducting and the picture, Wake Island, furnished by the Washington Theatre of Quincy.

Admission to the theatre was the purchase of a $25 or $50 war bond. This netted $83,350; $32,807 was received from an auction conducted the night of the show.

New Angle on Scrap

The metal scrap heaps in Quincy are larger and heavier than they would have been without a special promotion by WTAD.

WTAD is aggressively after such items as iron fences, statues, fountains, etc., which, though still in good condition, will perform a more useful function as scrap. Station is advocating the giving up of all metal items even though a real sacrifice to the owner is involved.

First of the special scrap programs was broadcast September 22 at 7:15 p.m. It was built around the example of two local residents with adjoining homes surrounded by 1,000 feet of heavy ornamental iron fence. Though a landmark for years and in perfect condition, Mr. and Mrs. L. P. Bonfoey and Mr. and Mrs. E. N. Monroe tossed the fence on the local scrap heap.

Because of this example, Station Manager C. Arthur Fifer has received reports of many similar, if not as large, donations.

"WAR SACRIFICE FUND"

Jess Willard, general manager of WJSV, Washington, D. C., is sponsor of a personal "War Sacrifice Fund" plan to help win the war, by producing additional funds for investment in war savings bonds.

It was devised as a means for patriotic individuals to go beyond the normal line of duty, voluntarily, to help win the war. Here's how it operates:

Each person establishes his own personal "War Sacrifice Fund" with sacrifice savings. Such savings are beyond legal requirements, such as taxes; and beyond the normal line of duty such as investing 10%. Into the fund are placed sums of money which might normally have been expended for an extra cocktail, a package of cigarettes, a box of candy or contemplated travel.

Mr. Willard pointed out that if all the workers established a "War Sacrifice Fund" and averaged $1 a week it would produce $2,808,000,000 a year. But he thinks that the average, based on sound economic calculations, should be at least $4 a week. This would bring in $11,232,000,000 annually, beyond the normal national income for war purposes.

OVER A HUNDRED GRAND FOR SAM

Current transportation difficulties have necessitated the discontinuance of the KMBC Victory Caravan which has been playing personal appearances at War Bond rallys in the station's listening area. The effort previously directed to the Caravan will now be devoted to direct sales efforts which are proving so effective.

Actual sales, not pledges, made by the KMBC Victory Caravan amounted to $110,149.40. The original slogan was "A HUNDRED GRAND FOR UNCLE SAM." Despite the discontinuance of the unit the original quota was exceeded by 10%.

List of cities covered by the Caravan, together with actual sales made by the Caravan follow:

Leavenworth, Kan.	$ 3,640.00
Emporia, Kan.	11,230.00
Ottawa, Kans.	900.00
Iola, Kan.	12,492.60
Olathe, Kan.	14,086.75
Warrensburg, Mo.	3,640.00
Independence, Mo.	2,400.00
Liberty, Mo.	2,755.00
Hamilton, Mo.	16,566.45
Cameron, Mo.	24,607.70
Harrisonville, Mo.	18,026.50

PRESIDENT DAVIS TO WPB

Donald D. Davis, president of General Mills Company, Minneapolis, reported for work in Washington last Tuesday. He is the first of several top men in the production field who will be recruited by WPB to strengthen the staff of the office of the Vice Chairman on Program Determination.

Mr. Davis has the post of Director of the newly created Program Coordination Division of the War Production Board.

ARE WE LETTING OUR ALLIES DOWN?

J. E. (Pat) Garner, Manager and News Editor of KFPW, has made excellent use of the "background" material on the United Nations sent out by the Office of War Information. The material was condensed into a brief talk which Garner delivered to the Fort Smith (Arkansas) Lions Club. The Club thought so highly of the talk that it has been printed in pamphlet form. A limited supply is available upon request to Mr. Garner at KFPW, Fort Smith, Arkansas.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 5. They are subject to change.

Monday, October 5

Further Hearing

KXKX—First National Television, Inc., Kansas City, Mo.—Renewal of license, **1590 kc.**, 1 KW, unlimited.

Tuesday, October 6

KPAC—Port Arthur College, Port Arthur, Texas.—Modification of license **1250 kc.**, 1 KW, DA-night, unlimited.

Wednesday, October 7

Television Broadcast

NEW—Hughes Productions, Division of Hughes Tool Company, Los Angeles, Calif.—C. P., **60000-66000 kcs.**; Ch. No. 2, ESR-500.

NEW—Hughes Productions, Division of Hughes Tool Company, San Mateo County, Calif.—C. P., **60000-66000 kcs.**; Ch. No. 2, ESR-740.

Thursday, October 8

Further Hearing

NEW—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert C. Levy, Ross M. Sams & Davis Stribling, Waco, Texas.—C. P., **1230 kc.**, 250 watts, unlimited.

Friday, October 9

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—C. P., to install new transmitter, **1230 kc.**, 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WFMJ—Wm. F. Maag, Jr. (Assignor), The WFMJ Broadcasting Co. (Assignee), Youngstown, Ohio.—Granted consent (B2-AL-348) to assignment of license for station WFMJ from William F. Maag, Jr., to The WFMJ Broadcasting Co., a newly organized corporation of which the assignor, Wm. F. Maag, Jr., will own 99.2 percent of its authorized capital stock.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted extension for period of 60 days of Special Service Authorization to operate with power of 5 KW, employing a directional antenna at night (B1-SSA-47).

W31NY—Edwin H. Armstrong, Alpine, N. J.—Granted application for modification of construction permit of high frequency broadcast station for extension of completion date to November 4, 1942.

DESIGNATED FOR HEARING

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Designated for hearing application for modification of license (B3-ML-1076) to change frequency from **1390 to 1470 kc.**, hours of operation from day to unlimited, and use 500 watts power night, 1 KW day.

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Designated for hearing application to increase power from 1 to 5 KW, move transmitter, install new transmitter, and install directional antenna for night use (B5-P-3499).

MISCELLANEOUS

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Granted modification of construction permit, as modified, for increase in power and installation of directional antenna for night use, for extension of completion date from September 27 to November 27, 1942 (B2-MP-1635).

KFVS—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Granted license to cover construction permit to make changes in transmitting equipment (B4-L-1705); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1435).

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—Granted license to cover construction permit which authorized move of transmitter and studio (B5-L-1697).

KBWD—Brown County Broadcasting Co., Brownwood, Tex.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1440).

KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Calif.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1433).

WRGA—Rome Broadcasting Corp., Rome, Ga.—Granted license to cover construction permit for move of transmitter and changes in antenna system (B3-L-1703); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1432).

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted modification of construction permit as modified, for installation of new transmitter and directional antenna for day and night use, increase in power, change hours of operation, and move of transmitter, for extension of completion date from September 30 to November 30, 1942 (B4-MP-1640).

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Granted license to cover construction permit as modified, for directional antenna for night use, increase in power, and changes in equipment (B3-L-1709); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1439).

WSBA—Susquehanna Broadcasting Co., York, Pa.—Granted license to cover construction permit, as modified, for a new broadcast station (B2-L-1708); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1438).

WBUL—Blue Network Co., Inc., (Portable-Mobile), area of Chicago, Ill.—Granted modification of license for change in serial number of transmitter from Serial No. 3 to Serial No. 2 (B4-MLRE-107).

W47P—Walker and Downing Radio Corp., Pittsburgh, Pa.—Granted modification of license to change corporate name from Walker and Downing Radio Corp. to WWSW, Inc. (B2-MLH-1).

W2XMC—Muzak Corp., New York, N. Y.—Granted modification of construction permit, as modified, for new developmental broadcast station, for extension of completion date from September 1, 1942, to March 1, 1943 (B1-MPEX-9).

WPTZ—Philco Radio & Television Corp., Philadelphia, Pa.—Granted modification of construction permit, as modified, for new commercial television broadcast station, for extension of completion date from October 1 to December 1, 1942 (B2-MPCT-17).

WEJK—National Broadcasting Co., Inc. (Portable-Mobile), area of Chicago, Ill.—Granted modification of license for change in serial number of transmitter from Serial No. 3 to Serial No. 2 (B4-MLRE-108).

W2XYP—Columbia Broadcasting System, Inc., New York, N. Y.—Granted license to cover construction permit as modified, for new ST broadcast station; granted on an experimental basis only, conditionally (B1-LST-1).

WDAE—Tampa Times Company, Tampa, Florida.—Denied Special Service Authorization (B3-SSA-46), to operate on **770 kc.**, 5 KW, unlimited time, directional antenna night.

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Texas.—Denied Special Service authorization to operate on **690 kc.**, 500 watts, 1 KW-LS, unlimited time (B3-SSA-38). Also dismissed application for construction permit (B3-P-3492) to change frequency to **690 kc.**, increase nighttime power to 1 KW, and install directional antenna for day and night use.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for extension of effective date of temporary license to December 31, 1942.

John W. Choate, Lenore Herd Choate, E. P. Nicholson, Jr., and John Wallbrecht, Middleboro, Ky.—Denied petition to reconsider and grant application for construction permit for a new station.

WJJD—WJJD, Inc., Chicago, Ill.—Dismissed without prejudice application for construction permit since applicant has failed to file a petition indicating desire to prosecute application in conformity with Memo. Opinion of April 27, 1942.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Denied application for Special Service Authorization (B5-SSA-33) to use frequency **1170 kc.**

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Adopted a Memorandum Opinion and Order granting in part the application of WAPI for change in frequency from **1170 kc.** to **1070 kc.**, and denied without prejudice the request for an increase in power from 5 to 50 KW. The grant was made upon the condition that the applicant file an application for modification of construction permit specifying a suitable directional antenna making use only of the two towers now in use at the station. The Commission also ordered that the applicant shall within 20 days of the date of Order notify the Commission in writing that it accepts or rejects the foregoing grant in part and denial in part of its application. In the event the applicant notifies the Commission that it accepts the foregoing grant in part and denial in part of its application, it shall within a further period of 30 days file an application for modification of construction permit satisfactory to the condition attached to the grant in part of its application regarding suitable antenna (Docket No. 6117).

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Denied petitions requesting authority to operate with power of 10 KW on frequency **1030 kc.**, and installation of new transmitter, using directional antenna at night, and designated application (B3-P-3342) for hearing.

WOV—WODAAM Corp., New York City.—Granted renewal of license for standard and auxiliary station for the period ending October 1, 1944.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Granted petition for continuance of hearing on application to install new transmitter, to November 12, 1942.

WKBW-WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted motion to postpone hearing date on applications for renewal of licenses for main and auxiliary transmitters of stations WKBW and WGR, to November 20.

KDNT—Harwell V. Shepard, Denton, Texas.—Granted petition to accept late appearance in re application for construction permit (Docket 6352).

WHEB—WHEB, Inc. (R. G. LeTourneau), Transferor, and the LeTourneau Foundation, Transferee, Portsmouth, N. H.—The Commission on its own motion continued the hearing on application to transfer control of station WHEB from October 2 to November 6, 1942.

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Extension of special service authorization to operate on **560 kc.**, 500 watts night, 1 KW daytime, unlimited time, using transmitter authorized by (B5-P-3150) as modified until completion of directional antenna system.

590 Kilocycles

WKZO—WKZO, Inc., Kalamazoo, Mich.—License to cover construction permit (B2-P-3281 as modified), which authorized increase in night power and changes in directional antenna system for night use.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Authority to determine operating power by direct measurement of antenna power.

780 Kilocycles

WMC—Memphis Publishing Co., Memphis, Tenn.—License to cover construction permit (B3-P-2743 as modified) for increase in night power and changes in directional antenna for night use.

WMC—Memphis Publishing Co., Memphis, Tenn.—Authority to determine operating power by direct measurement of antenna power.

910 Kilocycles

WABI—Community Broadcasting Service, Bangor, Maine.—Modification of construction permit (B1-P-2349 as modified), which authorized change in frequency, increase power, new transmitter and directional antenna for night use, requesting extension of completion date from 8-30-42 to 12-30-42.

1010 Kilocycles

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Extension of special service authorization to operate on **1010 kc.,** 5 KW night, 10 KW daytime, directional antenna night, using the transmitter as authorized by B3-P-3049 as modified, for the period 12-1-42 to 12-1-44.

1290 Kilocycles

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Modification of construction permit (B3-P-2944 as modified), which authorized installation of directional antenna for night use, and increase in night power, for extension of completion date from 10-15-42 to 12-15-42.

1390 Kilocycles

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif. —Modification of construction permit (B5-P-3096 as modified), which authorized increase in power, installation of new transmitter and directional antenna for night use and move of transmitter for extension of completion date from 10-12-42 to 11-12-42.

FM APPLICATIONS

W83C—WHFC, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-36), which authorized construction of new high frequency broadcast station for change in location of transmitter, antenna changes, change in type of transmitter and extension of commencement and completion dates.

W49PH—Pennsylvania Broadcasting Co., Philadelphia, Pa.—License to cover construction permit (B2-PH-69 as modified), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

W75NY—Metropolitan Television, Inc., New York, N. Y.—License to cover construction permit (B1-PH-52 as modified), which authorized construction of new high frequency broadcast station in part in accordance with Commission action of 8-4-42.

MISCELLANEOUS APPLICATIONS

WCAH—Board of Education, City of Buffalo, Buffalo, N. Y.—Modification of construction permit (B1-PED-24 as modified), which authorized construction of new non-commercial educational broadcast station requesting extension of commencement and completion dates to 6 months after termination of war emergency and 1 year after termination of war emergency, respectively.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of construction permit (B5-P-2783 as modified), which authorized installation of new equipment and increase power for extension of completion date from 11-19-42 to 10-1-43.

KGCX—E. E. Krebsbach, Sidney, Mont.—Modification of license to change location of main studio from 4 miles north of Sidney, Montana, to Lot 10, Block 14 on Main St., Sidney, Montana.

KVGB—Helen Townsley, Great Bend, Kansas.—License to cover construction permit (B4-P-3509) for move of transmitter.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Marvel Laboratories, 1205 Market St., Louisville, Ky., are charged in a complaint with misrepresentation in connection with the sale of a product designated "Marvel Coal-Pep," advertised and recommended by them as being capable of increasing the heating effectiveness of coal and of reducing soot and smoke (4838).

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Adams Laboratories, Inc., 4005 Washington Blvd., St. Louis, has entered into a stipulation to discontinue representing that the medicinal preparation it sells under the name "Prunlax" is a remedy or cure for constipation, aids in toning up the liver or kidneys, and is effective in the treatment or prevention of backaches, headaches, biliousness, colds, and swollen joints; that it will renew or strengthen lost energy and keep children full of energy; that it arrests colitis or the formation of hemorrhoids or fissures; and that prune juice is the basis of the preparation. The respondent stipulates it will cease and desist from representing, through the use of the brand name "Prunlax," alone or with other words or pictorial representation, that the preparation derives its laxative properties from prunes, and agrees to stop using the word "Laboratories" in connection with its business when it does not own, control and direct a laboratory where research work is conducted in connection with the production of its product. (03053)

American Oil Co., Baltimore, engaged in selling certain petroleum products designated "Amoco Gas" and "Penn Amoco Permalube Processed Oil" has stipulated to cease representing that internal combustion engines can utilize the maximum energy of Amoco Gas; that no other motor fuels have an anti-knock rating equal to that of Amoco Gas; that its use eliminates "destructive" vibration from internal combustion engines; or that Penn Amoco Permalube Processed Oil will tend to make an old car perform like it did when new without expressly limiting such claim to any detergent action which the product may have on engine deposits. (03051)

Battle Creek Dog Food Co., trading as Miller's Dog Foods, Battle Creek, Mich., selling various dry dog food preparations designated "Miller's Kibbles," "Miller's Biscuits," "Miller's Puppy Meal," "Miller's Meaties," and "Miller's Ration," and Paul C. Staake and Carl Schoonmaker, trading as Staake and Schoonmaker, Kalamazoo, Mich., and conducting an advertising agency which disseminated advertisements for the above-named products, have stipulated to cease and desist from using the terms "meat scraps," "dehydrated meat," or any terms of similar import to describe dehydrated meat meal or any product which is not meat in fact, and from use of the expression "Meaties" in the brand name "Miller's Meaties" to represent that the product contains meat. (03052)

Hercules Liquor Products Corp., 360 Furman St., Brooklyn, rectifier and blender of bottled liquors, engaged in the sale of a product designated "Piedmont Cuba Libre," has stipulated that in the advertising or labeling of the product it will cease and desist from use of the word "Cuba" as part of the trade name for the liquor product or the word "Cuba," either alone or in connection with other words or picturization, to describe the product, the effect of which tends to convey the belief to the purchaser that the rum used in the concoction of the product is of Cuban origin or manufacture. If the word "Cuba" is used to designate a liquor product which contains or is made from rum other than Cuban rum it shall be clearly and unequivocally disclosed by some other word or words that the rum used in making the product is other than Cuban rum. (3532)

Henry Millinery Import Corp., 34 West 38th St., New York, engaged in the wholesale distribution of felt hat bodies, has stipulated to cease representing that its wool felt or other products, which are composed in whole or in part of inferior materials or which are imperfect, or defective in any way, are of first, standard or the best quality by failure to stamp on the sweatband, or elsewhere, in the absence of a sweatband (in conspicuous and legible terms which cannot be removed or obliterated without mutilating the stamped portion), a statement that the products are seconds or that they are of such other quality below standard as is the fact; selling or placing in the hands of others for sale fur felt, or other products composed in whole or in part of used or second-hand materials, under the representation that the products are new, or are composed of new materials, by failure to stamp on the sweatband, or elsewhere, in the absence of a sweatband, in conspicuous and legible terms which cannot be removed or obliterated without obliterating the stamped portion, a statement that the products are composed of second-hand or used materials; and representing in any manner that products made in whole or in part from old, used or second-hand materials are new or are composed of new material or that products which are not of first, standard or the best quality are of such quality or that they are of a quality in excess of their merit. (3533)

Prescott Drug Co., 190 South Main St., Memphis, Tenn., entered into a stipulation to cease and desist from representing that the medicinal preparation he sells under the name "Dr. Sphinx's Sarsaparilla and Iron with Iodide Potash" is effective in the treatment of bad blood, rheumatism, malaria, general rundown condition, or stomach trouble, and is a blood, liver and kidney cleanser. The respondent agrees to discontinue representing by the use of the prefix "Dr." in the brand name that the product is manufactured or offered for sale by a doctor of medicine, and to stop using the word "Sarsaparilla" to refer to any preparation which does not contain sarsaparilla in sufficient quantity to possess therapeutic value. (03054)

Sunset Art Studios, and Otto A. Juettner and Frank Schultz, all of Seattle, Wash., stipulated that in connection with the sale of photographs and picture frames they will cease and desist from:

Using the word "painting" as descriptive of colored or tinted photographs or pictures produced from a photographic plate, film, base or impression so as to imply that such pictures are oil paintings or paintings; representing that the price at which they sell their pictures is introductory, special, or reduced; representing that their pictures formerly sold for a price in excess of the usual and customary price at which they actually have been sold; selling pictures so shaped or designed that they can be framed only in odd style frames or in frames obtainable from the respondents unless prospective purchasers are definitely apprized of the fact that the frames are of an odd style, the price of which is materially in excess of that of frames of a conventional style and are obtainable only from the respondents; refusing to deliver pictures after payment has been made unless all the terms under which such delivery is withheld have been fully disclosed to and accepted by purchasers; and using the word "guaranteed" in connection with the sale of their products unless clear and unequivocal disclosure is made of exactly what is offered by way of security. (3534)

Superior Vault Co., Port Chester, N. Y., stipulated to discontinue representing that the reinforced concrete burial vaults they manufacture and sell are everlasting, permanently waterproof, absolutely resistant to condensation, or will afford permanent protection to caskets or bodies. They also agree to stop using any so-called warranty agreement that implies that their vaults are guaranteed for anv period of time greater than that which can reasonably be estimated as the time during which they will be capable of complying with the provisions contained in such agreement. (3535)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bewley Mills—Dissemination of false advertisements concerning poultry and stock feeds sold under the brand name "Bewley's Red Anchor" is prohibited under an order issued against Bewley Mills, Fort Worth, Tex. (4739)

Heatless Permanent Wave Company—An order has been issued directing Irvin A. Willat, trading as Heatless Permanent Wave Co., 1122 Folsom St., San Francisco, to cease and desist from disseminating false advertisements concerning a method of heatless permanent waving which includes use of a curling solution found by the Commission to be unsafe when applied under some conditions and capable, in some instances, of resulting in serious and irreparable injury to health when used under the conditions prescribed in Willat's advertisements. (4663)

Kondi Co., Atlanta, Ga., has been ordered to cease and desist from misrepresentation in the sale of a dog medicine designated "Kondi Worm Specific and Conditioner." (3217)

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W.
WASHINGTON, D. C.
Vol. 10, No. 40, October 9, 1942

DISTRICT MEETINGS SCHEDULE

District	*Day*	Date	*Place*
3	Monday-Tuesday	Oct. 19-20	Benjamin Franklin Hotel Philadelphia, Pennsylvania
4	Friday-Saturday	Oct. 23-24	Carolina Hotel Pinehurst, North Carolina
5	Sunday-Monday	Oct. 25-26	George Washington Hotel Jacksonville, Florida
	Wednesday-Thursday	Oct. 28-29	Henry Grady Hotel Atlanta, Georgia
6	Friday-Saturday	Oct. 30-31	The Hermitage Nashville, Tennessee
12	Monday-Tuesday	Nov. 2-3	Tulsa, Oklahoma
13	Thursday-Friday	Nov. 5-6	Baker Hotel Dallas, Texas
14	Monday-Tuesday	Nov. 9-10	Salt Lake City or Ogden, Utah
16	Thursday-Friday	Nov. 12-13	Ambassador Hotel Los Angeles, California
15	Monday-Tuesday	Nov. 16-17	Fairmont Hotel San Francisco, California
17	Thursday-Friday	Nov. 19-20	Portland or Seattle
11	Tuesday-Wednesday	Nov. 24-25	Nicollet Hotel Minneapolis, Minnesota
10	Friday-Saturday	Nov. 27-28	Fort Des Moines Hotel Des Moines, Iowa
9	Monday-Tuesday	Nov. 30-Dec. 1	Palmer House Chicago, Illinois
8	Wednesday-Thursday	Dec. 2-3	Indianapolis, Indiana
7	Friday-Saturday	Dec. 4-5	Deshler-Wallick Columbus, Ohio
2	Monday-Tuesday	Dec. 7-8	New York, N. Y.
1	Wednesday-Thursday	Dec. 9-10	Boston, Massachusetts

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

WAR DOMINANT THEME

The relation of radio broadcasting to the war effort will be the dominant theme at the forthcoming series of District meetings. This series gets under way with a meeting at Philadelphia on Monday, October 19, and the schedule presented above will be followed closely.

These 1942 District sessions assume unusual importance because of the fact that many of the major government war agencies will be represented. The following have already advised that they will be represented:

Office of War Information
Office of Censorship
Office of Civilian Defense
The War Department
The Navy Department
The Marine Corps
The Treasury Department

In addition it is expected that representatives of Selective Service, the War Manpower Commission and the War Production Board will attend the sessions.

The representatives of each of the foregoing services and agencies will discuss problems of mutual concern to themselves and broadcasters.

Consistent with the theme of the sessions, the sales managers meeting on the second day will be devoted to a discussion of wartime radio advertising. Lewis H. Avery, newly appointed Director of the NAB Department of Broadcast Advertising, will key these discussions.

The breadth of subjects to be considered at these meetings suggests the importance of the attendance of every station manager and of his sales manager, as well as the head of his news department and possibly his engineer.

Radio has already contributed splendidly to the war effort but there is much to be learned about ways and means to improve that service. These meetings afford that opportunity.

Following is an outline of the tentative program which will be presented at each of the District meetings. Undoubtedly other subjects will be added.

Tentative Program for District Meetings

First Day

9:00 a.m.— Registration
10:00 a.m.— Registration
10:00 a.m.— 1. Call to Order by District Director
2. Announcements
3. Appointment of Committees
4. "The War Work of NAB"—Neville Miller
5. "Keeping People Informed on the War"—Carl Haverlin, Stations Relations Consultant, Office of War Information
12:30 p.m.— Luncheon (This may be put on in cooperation with some civil group at the option of the Director or one of the men from the government departments could speak at the luncheon session.)
2:00 p.m.— 6. "Keeping the Enemy Uninformed"—Gene Carr, Office of Censorship
7. "Financing the War"—Representative, Radio and Press Section, Treasury Department
8. "Radio and Army Morale"—Representative, Radio Branch, Public Relations Bureau, War Department
9. "Radio and the Men at Sea"—Representative, Public Relations Division, Navy Department
10. "Radio and the Marine Corps"—Representative, United States Marine Corps
11. "Radio's Contribution to Civilian Morale"—Representative, Office of Civilian Defense
12 The Music Situation
  a. AFM—Petrillo
  b. BMI—ASCAP—SESAC—AMP
13. Legislation
  a. Sanders Bill
  b. Tax Bill
  c. State Legislatures
14. Plug Uglies and other Magazine Articles

Second Day

"Radio Advertising in Wartime"—A Sales Managers Clinic

10:00 a.m.— 1. Call to Order by District Sales Managers Chairman
2. Announcements
3. Appointment of Resolutions Committee
Panel discussions of the following subjects will be led by Lew Avery:
4. Tying Broadcast Advertising to the War Effort—But NOT to the War.
5. Radio Leaves Such a Good Taste—Let's Keep it in Good Taste (Magazine articles and replies)
6. Recommended Standards for the Determination of Coverage Maps
7. What Radio Buyers Want to Know
8. Increased Use of Recommended Rate Card
9. Per-Inquiry and Free Time Requests
10. Building Increased Confidence in Broadcast Advertising by Reducing Errors of Performance
11. New Ideas to Maintain or Improve Present Volume of Business
  (Every Sales Manager who attends these meetings will be expected to bring and explain one idea that: Convinced an existing account to invest more of the advertising budget in radio; brought a new account to his station; introduced broadcast advertising to a type of account that had not previously used radio in his market.)
12. NAB Sales Helps
13. The Outlook for Business to Keep Radio Stations Running Full Blast to Aid the War Effort.

SALES MANAGERS' CLINICS

In this industry, it is definitely trite to say: "Faced with the gravest problems the sales managers have ever been asked to solve . . ." That's what we have been saying for years. Perhaps we have crief "wolf" that once-too-often time. But the fact remains that the sales managers have some real thinking to do to meet today's needs and problems.

Probably you've read enough about the connection of the war effort with broadcasting in general to realize that winning the war is our first objective. War is, therefore, the major topic of the one-day meeting of the sales managers to be held on the second day of the district meetings. Most of the broadcast advertising carried by all stations—great and small—is helping to promote the war effort.

But, here and there, an advertiser has taken advantage of the war to enhance the appeal for his merchandise or service. How to detect such infringements of good taste and patriotism is one of the problems that will be explored by the sales managers.

Perhaps we have thought that advertising in general—and broadcast advertising in particular—has been criticized unfairly in the past. But such criticism has doubled and quadrupled within the last few months. As you all know, one publication has sought to build what amounts to an anti-radio-advertising league.

If we are honest with ourselves—and we must be—such criticism is deserved in part; must be met in whole, if we are to progress as an advertising medium. That's just what the sales managers will do at the forthcoming district meetings.

Perhaps this is no time to plan even a "slicking-up" around the house but, based on the old adage that "there's no time like the present," the Sales Managers' Executive Committee has recommended a study of the factors that contribute to good taste in broadcast advertising, looking toward the preparation of a statement that codifies the practices and principles of good broadcasting.

Evidence so far accumulated indicates that the rate of turnover among local advertisers is undoubtedly the highest in the history of our medium. What's more, the foresighted feel that this rate may even be stepped up as we swing into 1943. How, then, can we continue to hold or increase the present volume of broadcast advertising so that the owner, the manager, the program director and the newscasters can continue to render their vital service in the leading role that broadcasting is playing in the conduct of the war. You'll hear plenty about that at the district meetings, so be sure to attend.

Now that you are thinking about it—what about the future of our business in 1943? What can we reasonably expect in the light of the past? How much of what has happened in the past has a bearing on the future? Perhaps we can all contribute to such a forecast as will kindle our enthusiasm and build hope and confidence.

But that's only part of the story of the sales managers meetings that will be held on the second day of the district meetings. You'll certainly want to attend. You have ideas and plans that the whole industry can use. Perhaps you, too, can glean something of value from the ideas of others.

Recheck that list of district meetings and plan now to be at one of them.

SPECIAL MEETING NAB BOARD

A special meeting of the NAB Board of Directors will convene at the Palmer House, Chicago, on Tuesday, October 13. This meeting will immediately follow the hearing of the arguments in the government's case against the A. F. of M. and James C. Petrillo. The case will be argued on the government's behalf by Thurman Arnold, head of the Anti-Trust Division of the Attorney General's Office and NAB will present a brief as a friend of the court.

Pay Freezing

President Roosevelt on October 3 issued his long-expected wage freezing order and appointed the War Labor Board to enforce it.

In brief, the order freezes all *wage rates* at their September 15 level, except in cases where the WLB finds increases are "necessary to correct maladjustments or inequalities, to eliminate substandards of living, to correct gross inequities, or to aid in the effective prosecution of the war."

Salaries *above* $5,000 are frozen, too, "except in instances in which an individual has been assigned to more difficult or responsible work."

We used the italics in the previous two paragraphs because it now appears that there was a mistake in drafting the order, and that *salaries below $5,000 were not frozen.*

Unless and until this mistake is corrected (which it probably will be), the order leaves the broadcasting industry practically untouched, because the bulk of broadcasting employees are paid on a salary basis (by the week, month or year) and not on an hourly ("wage rate") basis. As it stands, only the salaries of radio's top executives and performers are frozen.

We repeat, however, that this mistake probably will be rectified, and all salaries as well as wages will be frozen.

Within the next few days, the WLB will issue some general regulations as to enforcement. One of these probably will automatically allow any increases made prior to October 3, despite the September 15 freeze date. Another will permit so-called "automatic" increases. As an example, an employee hired with the understanding that he is to receive a $5 increase after 6 months service will be permitted to receive that increase.

The NAB will keep you advised.

The text of the Executive Order:

By virtue of the authority vested in me by the Constitution and the statutes, and particularly by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes," as President of the United States and Commander in Chief of the Army and Navy, and in order to control so far as possible inflationary tendencies and the vast dislocations attendant thereon which threaten our military effort and our domestic economic structure, and for the more effective prosecution of the war, it is hereby ordered as follows:

TITLE I

Establishment of an Office of Economic Stabilization

1. There is established in the Office for Emergency Management of the Executive Office of the President an Office of Economic Stabilization at the head of which shall be an Economic Stabilization Director (hereinafter referred to as the Director).

2. There is established in the Office of Economic Stabilization an Economic Stabilization Board with which the Director shall advise and consult. The Board shall consist of the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Chairman of the Board of Governors of the Federal Reserve System, the Director of the Bureau of the Budget, the Price Administrator, the Chairman of the National War Labor Board, and two representatives each of labor, management, and farmers to be appointed by the President. The Director may invite for consultation the head of any other department or agency. The Director shall serve as Chairman of the Board.

3. The Director, with the approval of the President, shall formulate and develop a comprehensive national economic policy relating to the control of civilian purchasing power, prices, rents, wages, salaries, profits, rationing, subsidies, and all related matters—all for the purpose of preventing avoidable increases in the cost of living, cooperating in minimizing the unnecessary migration of labor from one business, industry, or region to another, and facilitating the prosecution of the war. To give effect to this comprehensive national economic policy the Director shall have power to issue directives on policy to the Federal departments and agencies concerned.

4. The guiding policy of the Director and of all departments and agencies of the Government shall be to stabilize

the cost of living in accordance with the Act of October 2, 1942; and it shall be the duty and responsibility of the Director and of all departments and agencies of the Government to cooperate in the execution of such administrative programs and in the development of such legislative programs as may be necessary to that end. The administration of activities related to the national economic policy shall remain with the departments and agencies now responsible for such activities, but such administration shall conform to the directives on policy issued by the Director.

TITLE II

Wage and Salary Stabilization Policy

1. No increases in wage rates, granted as a result of voluntary agreement, collective bargaining, conciliation, arbitration, or otherwise, and no decreases in wage rates, shall be authorized unless notice of such increases or decreases shall have been filed with the National War Labor Board, and unless the National War Labor Board has approved such increases or decreases.

2. The National War Labor Board shall not approve any increase in the wage rates prevailing on September 15, 1942, unless such increase is necessary to correct maladjustments or inequalities, to eliminate substandards of living, to correct gross inequities, or to aid in the effective prosecution of the war.

Provided, however, that where the National War Labor Board or the Price Administrator shall have reason to believe that a proposed wage increase will require a change in the price ceiling of the commodity or service involved, such proposed increase, if approved by the National War Labor Board, shall become effective only if also approved by the Director.

3. The National War Labor Board shall not approve a decrease in the wages for any particular work below the highest wages paid therefor between January 1, 1942 and September 15, 1942, unless to correct gross inequities and to aid in the effective prosecution of the war.

4. The National War Labor Board shall, by general regulation, make such exemptions from the provisions of this title in the case of small total wage increases or decreases as it deems necessary for the effective administration of this Order.

5. No increases in salaries now in excess of $5,000 per year (except in instances in which an individual has been assigned to more difficult or responsible work), shall be granted until otherwise determined by the Director.

6. No decrease shall be made in the salary for any particular work below the highest salary paid therefor between January 1, 1942 and September 15, 1942 unless to correct gross inequities and to aid in the effective prosecution of the war.

7. In order to correct gross inequities and to provide for greater equality in contributing to the war effort, the Director is authorized to take the necessary action, and to issue the appropriate regulations, so that, insofar as practicable, no salary shall be authorized under Title III, Section 4 to the extent that it exceeds $25,000 after the payment of taxes allocable to the sum in excess of $25,000. Provided, however, that such regulations shall make due allowance for the payment of life insurance premiums on policies heretofore issued, and required payments on fixed obligations heretofore incurred, and shall make provision to prevent undue hardships.

8. The policy of the Federal Government, as established in Executive Order No. 9017 of January 12, 1942, to encourage free collective bargaining between employers and employees is reaffirmed and continued.

9. Insofar as the provisions of Clause (1) of section 302(c) of the Emergency Price Control Act of 1942 are inconsistent with this Order, they are hereby suspended.

TITLE III

Administration of Wage and Salary Policy

1. Except as modified by this Order, the National War Labor Board shall continue to perform the powers, functions, and duties conferred upon it by Executive Order No. 9017, and the functions of said Board are hereby extended to cover all industries and all employees. The National War Labor Board shall continue to follow the procedures specified in said Executive Order.

2. The National War Labor Board shall constitute the agency of the Federal Government authorized to carry out the wage policies stated in this Order, or the directives on policy issued by the Director under this Order. The National War Labor Board is further authorized to issue such rules and regulations as may be necessary for the speedy determination of the propriety of any wage increases or decreases in accordance with this Order, and to avail itself of the services and facilities of such State and Federal departments and agencies as, in the discretion of the National War Labor Board may be of assistance to the Board.

3. No provision with respect to wages contained in any labor agreement between employers and employees (including the Shipbuilding Stabilization Agreements as amended on May 16, 1942, and the Wage Stabilization Agreement of the Building Construction Industry arrived at May 22, 1942) which is inconsistent with the policy herein enunciated or hereafter formulated by the Director shall be enforced except with the approval of the National War Labor Board within the provisions of this Order. The National War Labor Board shall permit the Shipbuilding Stabilization Committee and the Wage Adjustment Board for the Building Construction Industry, both of which are provided for in the foregoing agreements, to continue to perform their functions therein set forth, except insofar as any of them is inconsistent with the terms of this Order.

4. In order to effectuate the purposes and provisions of this Order and the Act of October 2, 1942, any wage or salary payment made in contravention thereof shall be disregarded by the Executive Departments and other governmental agencies in determining the costs or expenses of any employer for the purpose of any law or regulation, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the Revenue Laws of the United States or for the purpose of determining costs or expenses under any contract made by or on behalf of the Government of the United States.

TITLE IV

Prices of Agricultural Commodities

1. The prices of agricultural commodities and of commodities manufactured or processed in whole or substantial part from any agricultural commodity shall be stabilized, so far as practicable, on the basis of levels which existed on September 15, 1942 and in compliance with the Act of October 2, 1942.

2. In establishing, maintaining or adjusting maximum prices for agricultural commodities or for commodities processed or manufactured in whole or in substantial part from any agricultural commodity, appropriate deductions shall be made from parity price or comparable price for payments made under the Soil Conservation and Domestic Allotment Act, as amended, parity payments made under the Agricultural Adjustment Act of 1938, as amended, and governmental subsidies.

3. Subject to the directives on policy of the Director, the price of agricultural commodities shall be established or maintained or adjusted jointly by the Secretary of Agriculture and the Price Administrator; and any disagreement between them shall be resolved by the Director. The price of any commodity manufactured or processed in whole or in substantial part from an agricultural commodity shall be established or maintained or adjusted by the Price Administrator, in the same administrative manner provided for under the Emergency Price Control Act of 1942.

4. The provisions of sections 3(a) and 3(c) of the Emergency Price Control Act of 1942 are hereby suspended to the extent that such provisions are inconsistent with any or all prices established under this Order for agricultural commodities, or commodities manufactured or processed in whole or in substantial part from an agricultural commodity.

TITLE V

Profits and Subsidies

1. The Price Administrator in fixing, reducing, or increasing prices, shall determine price ceilings in such a manner that profits are prevented which in his judgment are unreasonable or exorbitant.

2. The Director may direct any Federal department or agency including, but not limited to, the Department of Agriculture (including the Commodity Credit Corporation and the Surplus Marketing Administration), the Department of Commerce, the Reconstruction Finance Corporation, and other corporations organized pursuant to Section 5d of the Reconstruction Finance Corporation Act, as amended, to use its authority to subsidize and to purchase for resale, if such measures are necessary to insure the maximum necessary production and distribution of any commodity, or to maintain ceiling prices, or to prevent a price rise inconsistent with the purposes of this Order.

TITLE VI

General Provisions

1. Nothing in this Order shall be construed as affecting the present operation of the Fair Labor Standards Act, the National Labor Relations Act, the Walsh-Healey Act, the Davis-Bacon Act, or the adjustment procedure of the Railway Labor Act.

2. Salaries and wages under this Order shall include all forms of direct or indirect remuneration to an employee or officer for work or personal services performed for an employer or corporation, including but not limited to, bonuses, additional compensation, gifts, commissions, fees, and any other remuneration in any form or medium whatsoever (excluding insurance and pension benefits in a reasonable amount as determined by the Director); but for the purpose of determining wages or salaries for any period prior to September 16, 1942, such additional compensation shall be taken into account only in cases where it has been customarily paid by employers to their employees. "Salaries" as used in this Order means remuneration for personal services regularly paid on a weekly, monthly or annual basis.

3. The Director shall, so far as possible, utilize the information, data, and staff services of other Federal departments and agencies which have activities or functions related to national economic policy. All such Federal departments and agencies shall supply available information, data, and services required by the Director in discharging his responsibilities.

4. The Director shall be the agency to receive notice of any increase in the rates or charges of common carriers or other public utilities as provided in the aforesaid Act of October 2, 1942.

5. The Director may perform the functions and duties, and exercise the powers, authority, and discretion conferred upon him by this Order through such officials or agencies, and in such manner, as he may determine. The decision of the Director as to such delegation and the manner of exercise thereof shall be final.

6. The Director, if he deems it necessary, may direct that any policy formulated under this Order shall be enforced by any other department or agency under any other power or authority which may be provided by any of the laws of the United States.

7. The Director, who shall be appointed by the President, shall receive such compensation as the President shall provide, and within the limits of funds which may be made available, may employ necessary personnel and make provision for supplies, facilities and services necessary to discharge his responsibilities.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
October 3, 1942.

BROADCASTING NOT COVERED BY PREMIUM PAY ORDER

The broadcasting industry is not covered by President Roosevelt's Executive Order on "premium pay."

This was made clear October 3 by a statement from Secretary of Labor Frances Perkins, in which she said the order applied only to industries engaged in *manufacture* of war products.

The previous day the NAB had applied for an exemption for the broadcasting industry, following a meeting of the Wage and Hour Committee on the subject.

The principal effect of the Executive Order would have been to require those stations not now so doing to pay time and one half for holiday work.

Sales

TAX EXEMPTION OF ADVERTISING

Paul B. West, President of the Association of National Advertisers, has issued a most helpful statement regarding the recent order dealing with the question of advertising expense as an allowable item of cost on government war contracts (see NAB REPORTS, p. 580, and also p. 515).

The warning sounded by Mr. West regarding the use of this exemption as an argument for advertising is most timely. The release follows:

"The statement of Commissioner of Internal Revenue Helvering as to the deductibility of advertising expense on corporate income tax returns is a welcome amplification of Secretary Morgenthau's statement before the Joint Congressional Committee on Taxation and bears out the clarification of the subject sent out by the Association of National Advertisers with the approval of the Internal Revenue Bureau on August 28," said Mr. West.

"Now, when our nation is at war, there is no room for uncertainties and misunderstandings. Such clear and forthright statements as that of Commissioner Helvering are of inestimable aid to business in allaying fears and permitting sound planning. The statement shows a sympathetic understanding of the problems of business and a desire to be fair and cooperative. In our conferences with Bureau officials, we found their attitude to be wholly one of cooperation and it was most gratifying to have this response to our request after pointing out the need for business to have such clarification.

"Quite naturally, the Bureau is charged with upholding the law and will have no patience with any taxpayer who seeks to avoid proper payment of taxes. This is just and reasonable. Excessive advertising expenditures, as excessive expenditures of any kind, should not be deductible, especially in this war period.

"We have noted a tendency in some quarters on the part of over-zealous advertising salesmen to use the excess profits tax as an argument for the expenditure of increased sums on advertising. I do not believe that such selling reflects the judgment or the wishes of publishers or radio station owners and that this practice is very much the exception. Nevertheless it is to be deplored and discouraged as strongly as possible. To attempt to sell advertising on a false basis implies that the publication or radio station lacks merit. We are hearing from A.N.A. member advertisers about this type of solicitation and they deeply resent it. It is obviously an unsound business practice and has always been regarded so. For salesmen to try to take advantage of the situation for selfish gain not only does harm to all advertising and business but in these times is wholly unpatriotic.

"There is plenty of occasion for business to use advertising in a perfectly legitimate and justifiable way, for advertising as an essential tool has new responsibilities and new uses for serving the ends of business and of the nation in these critical times. It is heartening to hear this fact recognized by the government and it is up to all of us to see that the privilege is not abused."

"HOT FROM HOLLYWOOD"

Several member stations have written regarding the five-minute "Hot from Hollywood" transcriptions being offered by Thomas J. Valentino, Inc., 1600 Broadway, New York, N. Y. In response to an inquiry from the Department of Broadcast Advertising, Mr. Valentino reports:

"The transcriptions entitled 'Hot from Hollywood' are designed to maintain a public interest in news of Hollywood personalities. These transcriptions are being prepared on behalf of various members of the motion picture industry and consist of a good-will gesture in which is included a dramatization of scenes from forthcoming motion pictures. No advertising of any kind is included in these programs and the only mention of the title of the picture is to identify the scene which is dramatized. The distributor of the picture is in nowise mentioned."

Under the circumstances, the Department strongly advises against the use of these five-minute transcriptions on a sustaining basis. However, Mr. Valentino adds in his letter that: "These entertainment programs . . . may be broadcast by the station for local sponsors without any payment to us".

Since one of the member stations has reported that these transcriptions are definitely entertaining and of good quality, the availability of this series may offer you an opportunity to interest a local threatre or group of theatres in the use of your facilities. Similar programs have been successfully sold by other stations to women's ready-to-wear, shoe, department and similar stores.

PER-INQUIRY AND FREE TIME REQUESTS

Vanderbie and Rubens, Inc., 410 N. Michigan Ave., Chicago, Ill., is seeking per-inquiry deals in an effort to sell the Le Roy piano lessons. Many stations are carrying this account on a straight rate-card basis, so the business can be obtained that way.

Several members stations have reported letters from the "Doughboy Commemorative Committee" to observe the 25th anniversary of the serving of the first donut in World War I. Although the president of the committee insists that the activity is sponsored by a group of patriotically inclined war veterans, he admits that the sponsors of the "National Donut Week"—which oddly coincides with the commemorative activity—are co-operating. To NAB, it looks like a good opportunity to sell a local bakery on some broadcasting advertising.

WPB RATING ORDER P-133 ASSIGNS BROADCASTERS A-1-J

Assignment of preference ratings to facilitate the acquisition of equipment and supplies for the maintenance and repair of radio broadcast and commercial sound-recording facilities is provided in Preference Rating Order P-133, issued October 5 by the War Production Board.

The order may not be used for any expansion, improvement or change of design of equipment. It covers only materials needed for maintenance and repair and assigns the preference rating A-1-j to all operators of radio and communication facilities, including broadcasting, police, direction-finding and aviation facilities, as well as all commercial sound-recording studios. The rating, however, is assigned only after the operator has complied with nine conditions stipulated in section (e) of the order.

Plans are also under way to allocate materials and manufacturing facilities to make available vacuum tubes and other parts on the A-1-j preference rating. This should eliminate the necessity in most instances in filing PD-1-A applications.

Preference ratings for maintenance and repair of radio communication equipment formerly were assigned by P-129, which expired September 30. The new order replaces this one, and extends the field somewhat, since P-129 was primarily designed to cover maintenance of telephone equipment.

The order reads as follows:

PART 3037—ELECTRONIC EQUIPMENT

[Preference Rating Order P-133]

Section 3037.5 *Preference Rating Order P-133*—(a) *Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver or any form of enterprise whatsoever, whether incorporated or not, the United States, and the several states thereof, and any political, corporate, administrative or other division of agency thereof, to the extent engaged in any activity listed in Schedule A, hereof.

(2) "Material" means any commodity, equipment, accessory, assembly, or product of any kind.

(3) "Maintenance" means the upkeep of an operator's buildings, structures and equipment in sound working condition; and this, without regard to whether the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(4) "Repair" means the reconstruction or restoration without expansion, improvement or change of design of any portion of an operator's buildings, structures and equipment when such portion has been rendered unsafe or unfit for service by wear and tear or other similar causes, but not including reconstruction or restoration of any portion damaged or destroyed by fire, flood, tornado, earthquake, act of God or the public enemy; and this, without regard to whether the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(5) "Operating supplies" means any material which is essential to and consumed directly in the operation of any of the services specified in (a) (1) above but does not include recording discs, film, other recording media, fuel, office or building supplies, or equipment of any kind.

(b) *Assignment of preference rating.* Subject to the terms of this order, preference rating of A-1-j is hereby assigned:

(1) To deliveries of material to an operator for operating supplies and for maintenance and repair.

(2) To deliveries to any supplier of material to be physically incorporated in other material required by an operator for operating supplies, maintenance or repair.

(c) *Persons entitled to apply preference rating.* The preference rating hereby assigned shall be applied where a preference rating is required to obtain material for maintenance, repair and operating supplies by:

(1) Any operator engaged in an activity in Schedule A hereof and may be applied by

(2) Any supplier, provided deliveries to an operator or another supplier are to be made by him, which are of the kind specified in paragraph (b) and have been rated pursuant to this order.

(d) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(e) *Restrictions on inventory and use.* The preference rating hereby assigned may be applied by any operator, provided:

(1) Such rating is not used to replace in inventory more than one spare tube for each active tube socket.

(2) Such rating is not used to replace in inventory any spare parts except:

(i) Those subject to frequent failure, deterioration or other exhaustion.

(ii) Those which are so unique that failure would inevitably result in long delay in resumption of essential operations.

(3) Such rating is not used in any case to increase the value of an operator's inventory of repair parts, other than tubes, above the value of such inventory on the date of this order.

(4) Such rating is not used to replace in inventory a new part if the defective part can be repaired with a smaller consumption of raw material.

(5) The tube which has been replaced from operator's inventory or for which replacement is required has been operated to failure.

(6) The operator has returned to the manufacturer any power tube rated at 25 watts or more which has failed, unless such tube is to be reparied.

(7) Equipment which has failed has been operated within the ratings specified by the manufacturer.

(8) Such rating is not used to build up inventory of operating supplies other than tubes, in excess of requirements for a three-month period.

(9) Such operator was actively engaged in one of the activities listed on Schedule A hereof, on the date of issuance of the order, or has received specific authorization for his installation from the Director General for Operations of the War Production Board.

(f) *Application and extension of rating.* An operator or supplier, in order to apply the preference rating assigned by this Order, shall endorse the following statement on the purchase order or contract for such material signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purposes.

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this purchase order, and that such application or extension is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar.

....	....
Name of Purchaser	Address
By..	....
(Signature and title of duly authorized officer)	Date

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

1. Radio communication, including broadcasting.
2. Sound recording for commercial purposes.
3. Radio direction finding.

WPB CURTAILS BATTERY PRODUCTION

An overall control over production of dry cell batteries and flashlights for cilivian use was ordered today by the War Production Board.

Cuts in civilian production of both batteries and flashlights in the hands of manufacturers were put under priority control.

At the same time, the order (L-71, as amended) permits smaller plants which do not have large military orders to operate at a considerably greater rate of civilian production than larger plants. The latter are for the most part operating at capacity on orders for the armed forces.

It is expected that this action will assure continued operation of the smaller plants in the industry in spite of the production cuts which have been ordered. Further steps may be taken toward this end after an opportunity to consider the effects of the present order.

Curtailment of civilian production, put on a quarterly basis, will have these results:

Only 35 per cent of the number of radio batteries produced in 1941 will be manufactured. These will be primarily for radios used on farms. Batteries for the portable type of radio are entirely eliminated as being non-essential, since most of these sets can operate on A.C. household current.

Production of flashlight batteries will be cut one-half, compared to 1941 output.

Other types of dry cell batteries will be reduced 10 per cent, although the order provides that batteries for hearing aids and railroad lanterns will be produced in greater quantity during the quarter ending December 31, 1942.

No direct restriction is placed on sales of lights in the hands of dealers and wholesalers, but the only way they can replenish their stocks is by certification that their sales have been only for A-10 or higher orders. Therefore, unless dealers and wholesalers restrict their sales to A-10 or better order, they will be unable to replace their inventories.

Use of raw materials is further restricted by the order, which originally (March 27) imposed strict control over the use of critical materials in flashlights and batteries. The amended order allows use of copper and copper base alloy for electrical connections up until October 31, if the materials had been in inventory before October 2. After October 31, no copper except in wire and brass plating will be permitted.

As a result of the production cuts and raw material restrictions, approximately 8,000 tons of zinc will be saved, about 1,000 tons of copper, and several hundred tons of steel compared to 1940 consumption. In addition, badly needed production facilities for military purposes will be made available.

RADIO BATTERIES: Class A Manufacturers will be allowed 30 per cent of their 1940 monthly production. These manufacturers include the following: General Dry Batteries, Inc., of Cleveland, Ohio; National Carbon Company, Inc., of New York, N. Y., and Ray-O-Vac Company of Madison, Wisconsin.

Class B Companies, including all other manufacturers of radio batteries in the field, will be allowed to produce batteries equal to their 1940 production.

The guiding principle behind this determination of production of batteries and portable lights was to provide for an equitable distribution of permitted production among all manufacturers. The result is expected to be that a minimum of dislocation in the battery industry will be felt because of the essential curtailment of output.

It seems obvious that radio "B" batteries commonly used in remote control amplifiers and field equipment are going to become increasingly difficult to obtain. There is also a patriotic duty to limit the use of these batteries to equipment which cannot be powered from either 6 volt storage batteries or commercial electric power supplies. Station engineers should carefully consider the advisability of providing A.C. rectifiers or 6 volt vibrator type power supplies to remote control equipment now operated from dry batteries. Such conversions will not only conserve the critical materials used in the manufacture of dry batteries but in most cases will reduce the maintenance expense on the equipment as well as insuring continued operation during the emergency.

SUPPLEMENTARY GAS RATIONS

Applicants for additional rations of gasoline are urged to arm themselves with the necessary facts about their driving requirements before asking their Local Rationing Boards for supplemental cards.

Not only must the applicant sign his statement of fact, but, if he is an employee and the supplemental ration is needed to carry on his work he must also present the affidavit or affirmation of his employer, or an authorized representative of his employer.

Under the gasoline rationing regulations, the board is authorized to grant supplemental rations only if it finds that they are "essential to life or to the pursuit of a gainful occupation and that no reasonably adequate alternative means of transportation are available." The board in granting a supplemental ration will issue an A card or whatever B card or combination of cards, are necessary to provide for the amount of the ration.

The applicant must state why his present ration is insufficient. He must support this reason with facts. Next, the applicant must state what means of public transportation are available to him.

Other questions ask the applicant to state what vehicles owned by members of his family, or by friends or business associates are available to his use, and to specify what effort has been made to "double-up" with other car owners.

Generally speaking, workers in the broadcasting industry should experinece no difficulty in getting B cards entitling them to gasoline for occupational driving based on their requirements up to 470 gallons a month. Under Section 1394.506 (k) (2) of the Gasoline Rationing Regulations, workers in the radio broadcasting industry including executives, technicians or office workers but not including salesmen are eligible to apply for preferred mileage (C cards).

TIRE RATIONING

Under Amendment 33, effective October 8, to the Revised Tire Rationing Regulations, "communications facilities" is included under List A entitling workers requiring transportation to or from communication facilities, which includes radio broadcasting, to apply for certificates to purchase new automobile tires except when public transportation facilities are readily available. Heretofore workers in the radio broadcasting industry were entitled only to recaps under List B.

MONOPOLY CASE ARGUED

Argument was had Thursday in New York on the pending motions in the cases of CBS and NBC against the FCC. The Commission's motion for summary judgment and the networks' motions for temporary injunctions were heard by the statutory three-judge court composed of Judges Learned Hand (C. J.), Goddard and Bright. No decision had been handed down when this issue went to press.

June 1 the Supreme Court ruled that the Commission's network regulations should be subjected to judicial review before they were put into effect. The Commission had contended that the network regulations amounted to nothing more than a statement of policy, and that broadcasters had no right to contest these rules in court until they were actually hurt by them,—that same network affiliate would have to put his license in jeopardy before the rules could be tested. But the Supreme Court said, no. The Commission is now seeking summary judgment in its favor, and the networks temporary injunctions pending decision on the merits of the case.

"FOUR FREEDOMS"

A copy suitable for framing of "Our Freedoms and Rights", prepared by the National Resources Planning Board, is being sent to all radio stations. This emphasizes the freedoms for which we are fighting; namely, freedom of speech and expression, freedom of worship, freedom from want and freedom from fear, and was transmitted to Congress by the President on January 14, 1942.

Rev. W. A. Burke, S.J.

Father Burke, former faculty director of Station WWL, New Orleans, and Station WEW, St. Louis, died September 18 in New Orleans after a long illness. He was 61. For many years Father Burke was interested and active in NAB affairs. He will be missed.

FEDERAL COMMUNICATIONS COMMISSION

TUBE SURVEY

FCC Chairman James Lawrence Fly said at his press conference early this week that it has not been decided if the results of the recent tube survey will be made public. If the results are given out he stated it will be in the near future.

DENNY, NEW FCC GENERAL COUNSEL

FCC today announced the appointment of Charles R. Denny, Jr., as General Counsel to succeed Telford Taylor who has been commissioned as a Major in the Army. Mr. Denny has been with the Commission since February of this year when he came over from the Department of Justice where he was chief of the Appellate Section of the Lands Division.

Mr. Denny was born in Baltimore, Md., on April 11, 1912. He has resided in Washington for several years and attended the public schools there. He was graduated from Amherst College in 1933 and from Harvard Law School in 1936. From 1936 to 1938 he was associated with the Washington law firm of Covington, Burling, Rublee, Acheson & Shorb. From 1938 to February 1942 he was in the Lands Division of the Department of Justice.

FORCE TO OWI

Arthur Force of NBC has been named editor of the radio news section, News Bureau, Office of War Information.

Mr. Force comes to OWI with fifteen years newspaper and radio news experience. He was night news editor of the National Broadcasting Company in New York City and previously worked on newspapers in New York, Newark, Detroit and Toledo.

The OWI radio news section will become the liaison agency for radio news press associations, newscasters and news commentators.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 12. They are subject to change.

Monday, October 12

WINK—Mid-American Broadcasting Corporation, Louisville, Ky. —Modification of C. P., **1080 kc.,** 1 KW night, 5 KW day, DA-day and night, unlimited.

Tuesday, October 13

W55NY—William G. H. Finch, New York, N. Y.—Modification of C. P., **45500 kc.,** 8,500 sq. mi., unlimited.

Wednesday, October 14

KFSD—Airfan Radio Corporation, Ltd., San Diego, Calif.—Modification of C. P., under C. P., **600 kc.,** 5 KW, unlimited.

Thursday, October 15

NEW—Larus and Brother Company, Inc., Richmond, Va.—C. P., **1646, 2090, 2190, 2830 kc.,** 40 watts, EM-A3, Sec. 4.24.

NEW—Larus and Brother Company, Inc., Richmond, Va. Transmitter location: 12 mi. SE of Richmond, Va., on James River.—C. P., **1646, 2090, 2190, 2830 kc.,** 35 watts, EM-A3, unlimited.

Friday, October 16

K51L—St. Louis University, St. Louis, Mo.—Modification of C. P., **45100 kc.,** 13,000 sq. mi., unlimited.

WJLS—Joe L. Smith, Jr., Beckley, W. Va.—C. P., **560 kc.,** 100 watts night, 250 watts day, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KAND—Navarro Broadcasting Assn., N. C. West, Pres., Corsicana, Texas.—Granted modification of license to use as main studio the present auxiliary studio at ½ mile north of Corsicana on Highway 75. (B3-ML-1140.)

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted license to cover construction permit as modified, for installation of directional antenna for night use, increase in power, and move of transmitter (B2-L-1559); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1295); granted license to cover construction permit as modified, for 100 watt synchronous amplifier for daytime use (B2-L-1442); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1442).

KWKW—Southern California Broadcasting Co., Pasadena, Calif.—Granted license to cover construction permit as modified, for new broadcast station (B5-L-1711); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1443).

KWOS—Tribune Printing Co., Jefferson City, Mo.—Granted authority to make changes in automatic frequency control equipment (B4-F-250).

WWNY—The Brockway Company, Watertown, N. Y.—Granted modification of construction permit as modified, for installation of directional antenna for night use, change of frequency, increase power, change hours of operation and move transmitter, for extension of completion date from October 16 to December 16, 1942 (B1-MP-1642).

KXO—Valradio, Inc., El Centro, Calif.—Granted motion for continuance of hearing set for October 1, 1942, on application for modification of license to change frequency from **1490 to 1230 kc.,** and continued said hearing until November 2, 1942. (Docket No. 6365.)

WIUC—University of Illinois, Urbana, Ill.—Granted license to cover construction permit as modified, for new non-commercial educational broadcast station (B4-LED-7).

KEJM—Perkins Brothers Company (The KEJM Sioux City Journal), Portable Mobile, Area of Sioux City, Iowa.—Granted modification of relay broadcast station license to change name of licensee from Perkins Brothers Company (The Sioux City Journal) to Perkins Brothers Company (B4-MLRE-109).

W6XDU—Don Lee Broadcasting System, Portable Mobile, Area of Los Angeles, Calif.—Granted modification of construction permit which authorized the addition of aural equipment using special emission, for extension of completion date from September 1 to December 1, 1942 (B5-MPVB-86).

WINS—Hearst Radio, Inc., New York City.—Granted modification (B1-MP-1649) of construction permit (B1-P-3026) for extension of completion date to November 3, 1944. Also granted construction permit (B1-P-3511) to increase power from 1 to 5 KW, change hours of operation to unlimited time and install a new transmitter and directional antenna for day and night use and move transmitter; and granted construction permit (B1-P-3512) to increase power to 10 KW, change hours of operation to unlimited time and install a new transmitter and directional antenna for day and night use, and move transmitter. (Applications B1-P-3511 and B1-P-3512) request the use of directional antenna authorized under (B1-MP-1259). The station has agreed to surrender its 50 KW transmitter to the government for urgent war needs.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted license (B2-L-1715) to cover construction permit (B2-P-3281) for increase in power to 5 KW, changes in directional antenna for night use and authority (B2-Z-1449) to determine operating power by direct measurement of antenna power.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted modification (B3-MP-1601) of construction permit (B3-P-2539) for changes in directional antenna and 60 day extension of commencement and completion dates. This grant is made contingent upon the installation of an antenna system when conditions make it feasible, which will provide proper protection to WWVA and will also produce the required effective field set forth in the Standards.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted modification (B2-MP-1641) of construction permit (B2-P-2540) as modified for changes in directional antenna for night-time use, contingent upon WWVA taking whatever measures are necessary to afford complete protection to KVOO when materials and engineers again become readily available.

DESIGNATED FOR HEARING

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Designated for hearing modification of license application (B3-ML-1057) to increase night power from 1 to 5 KW, make changes in directional antenna and use directional antenna at night only.

WCSH—Congress Square Hotel Co., Portland, Maine.—Designated for hearing application (B1-P-3490) to install a new transmitter.

WISH—Capitol Broadcasting Corp., Indianapolis, Ind.—Designated for hearing application (B4-P-3496) to increase nighttime power from 1 to 5 KW, and make changes in directional antenna for night use.

Olympic Broadcasting Corp., Bremerton, Wash.—Designated for hearing application (B5-P-3367) for new station to operate on **1540 kc.,** 500 watts, unlimited time.

WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Designated for hearing application (B1-P-3337) for construction permit to make changes in antenna system and to move main studio and transmitter site; also (B1-R-185) for renewal of license. On February 16, 1941, this station was destroyed by fire and has remained off the air since that date. Since October 1, 1941, temporary extensions of license have been granted from month to month.

LICENSE RENEWALS

Granted renewal of following relay broadcast station licenses for the period October 1, 1942, to not later than October 1, 1944:

KABF, McClatchy Broadcasting Co.; KBQA, Winona Radio Service; KDAC, KARM, The George Harm Station; KIEO, Airfan Radio Corp., Ltd.; KNEB, KNEC, Puget Sound Broadcasting Co., Inc.; KSCR, McClatchy Broadcasting Co.; KWFR, Wichita Broadcasting Co.; WADA, Charleston Broadcasting Co.; WAHJ, The Champaign News-Gazette, Inc.; WAIX, WJHL, Inc.; WALH, Piedmont Publishing Co.; WASJ, City of New York, Municipal Broadcasting System; WATB, Indianapolis Broadcasting, Inc., WAUC, Matheson Radio Co., Inc.; WAXD, The Birmingham News Co.; WAXH, Savannah Broadcasting Co.; WAXL, Jonas Weiland; WBGN, The Champaign News-Gazette, Inc.; WBLR, Columbus Broadcasting Co., Inc.; WCBJ, Lehigh Valley Broadcasting Co.; WDAC, State of Wisconsin, University of Wisconsin; WHPT, Radio Station WMFR, Inc.; WJAE, WJNO, Inc.; WJJW, Greenville Broadcasting Co.; WJWA, Birney Imes; WNYK, WNYL, WNYN, WNYO, City of New York, Municipal Broadcasting System; WQER, Georgia School of Technology; WSMA, WSMC, WSMB, Inc.

Granted renewal of following relay broadcast station license for the period October 1, 1942, to not later than July 21, 1944:

WAOB, National Broadcasting Co., Inc.

Granted extension of following relay broadcast licenses, upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, in no event later than November 1, 1942:

KAAN, Southern Minnesota Broadcasting Co.; KBTB, Red River Broadcasting Co., Inc.; KGBK, Helen Townsley; KGKF, KGKL, Inc.; WAEA, W. A. Patterson; WAFK, A. Frank Katzentine; WENM, The Evening News Association.

The following stations were granted renewal of licenses for the period ending February 1, 1943:

KFJB, Marshalltown, Ia.; KFXD, Nampa, Idaho; KHAS, Hastings, Neb.; KVNU, Logan, Utah; WAJR, Morgantown, W. Va.; WBOC, Salisbury, Md.; WCAT, Rapid City, S. Dak.; WDSM, Superior, Wisc.; WHBY, Appleton, Wisc.; WHOP, Hopkinsville, Ky.; WISE, Asheville, N. Car.; WJOB, Hammond, Ind.; WOLS, Florence, S. Car.; WRBL, Columbus, Ga.; WTOL, Toledo, Ohio.

The following stations were granted renewals for the period ending April 1, 1943:

KAVE, Carlsbad, N. Mex.; KVSO, Ardmore, Okla.; WCOU, Lewiston, Maine; WFTM, Fort Myers, Fla.; WINN, Louisville, Ky.; WJLS, Beckley, W. Va.; WGAC, Augusta, Ga.; WJW, Akron, Ohio; WOMT, Manitowoc, Wisc.; WPID, Petersburg, Va.; WSAY, Rochester, N. Y.

The following stations were granted renewals for the period ending June 1, 1943:

KPDN, Pampa, Texas; KROC, Rochester, Minn.; KSUB, Cedar City, Utah; KVIC, Victoria, Texas; KVOL, Lafayette, La.; KWOC, Poplar Bluff, Mo.; WAML, Laurel, Miss.; WCLS, Joliet, Ill.; WCMI, Ashland, Ky.; WDAK, West Point, Ga.; WGAA, Cedartown, Ga.; WGAU, Athens, Ga.; WINX and amplifier, Washington, D. C.; WLNH, Laconia, N. H.; WMFF, Plattsburg, N. Y.; WSAJ, Grove City, Pa.

The following stations were granted renewals for the period ending October 1, 1944:

KFGO, Boone, Ia.; KFOX, Long Beach, Calif.; KLS, Oakland, Calif.; KOL, Seattle; KVOA, Tucson, Ariz.; WKST, New Castle, Pa.

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—Granted renewal of license for the period ending December 1, 1944.

MISCELLANEOUS

WAWU—The Baltimore Radio Show, Inc., Area of Baltimore, Md.—Cancelled relay broadcast station license in accordance with written request (B1-RRE-358).

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mexico; KVSF—Santa Fe, N. Mexico.—Dismissed without prejudice applications for construction permits (Docket No. 6142 and Docket 6143), since applicant has failed to file petitions indicating desire to prosecute applications in conformity with Memo. Opinion of April 27, 1942.

KFDM—Beaumont Broadcasting Corp., Beaumont, Texas.—Dismissed without prejudice application (B3-P-3153) for construction permit to operate with 5 KW, unlimited time, and install a new transmitter.

Hughes Productions, Division of Hughes Tool Co., Los Angeles, Calif. and San Mateo County, Calif.—Petition for 6-months' continuance of hearing granted for period of 60 days; hearing granted for period of 60 days; hearing now set for Oct. 7 continued to December 7, in re applications for new television stations.

WINK—Mid-American Broadcasting Corp., Louisville, Ky.—Granted motion for continuance of hearing now set for October 12 to November 13 on application for modification of construction permit (B2-MP-1589).

W55NY—William G. H. Finch, New York City.—Motion for 6-months' continuance of hearing now set for Oct. 13, granted for 60 days, and continued hearing to December 14 in re application for modification of construction permit (B1-MPH-104).

Northeastern Penna. Broadcasters, Inc., Wilkes-Barre, Pa.—Reserved decision until next week on petition for specification of issue in re further hearing on application for a new station in Wilkes-Barre.

Hennessy Broadcasting Co., Butte, Mont.; Marclay Craighead, Butte, Mont.—Granted petition to dismiss without prejudice applications for new station (B5-P-3158 and B5-P-3103).

WOKO—WOKO, Inc., Albany, N. Y.—Granted petition to dismiss without prejudice application for construction permit (B1-P-3238).

APPLICATIONS FILED AT FCC

580 Kilocycles

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—License to cover construction permit (B5-P-3428) for move of transmitter.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Authority to determine operating power by direct measurement of antenna power.

600 Kilocycles

WCAO—The Monumental Radio Co., Baltimore, Md.—License to cover construction permit (B1-P-3024 as modified), which authorized increase in power, installation of new transmitter, directional antenna for day and night use and move of transmitter.

WCAO—The Monumental Radio Co., Baltimore, Md.—Authority to determine operating power by direct measurement of antenna power.

WSIS—Piedmont Publishing Co., Winston-Salem, N. C.—Modification of construction permit (B3-P-2814 as modified), which authorized change in frequency, increase power, new transmitter, move transmitter and directional antenna, for extension of completion date from 10-22-42 to 12-22-42.

710 Kilocycles

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Modification of construction permit (B3-P-3355 as modified), which authorized change in frequency, increase in power, installation of new transmitter, directional antenna for night use and move of transmitter, for extension of completion date from 11-5-42 to 1-5-43.

910 Kilocycles

WRNL—Richmond Radio Corp., Richmond, Va.—License to cover construction permit (B2-P-3505) for changes in directional antenna system for night use.

WRNL—Richmond Radio Corp., Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

WRNL—Richmond Radio Corp., Richmond, Va.—License to use the directional antenna system as authorized under construction permit (B2-P-3505) with auxiliary transmitter.

WRNL—Richmond Radio Corp., Richmond, Va.—Authority to determine operating power of auxiliary transmitter by direct measurement of antenna power.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of construction permit (B3-P-3043 as modified), which authorized change in frequency, increase in power, directional antenna for day and night use and move of transmitter for extension of completion date from 10-6-42 to 11-6-42.

1000 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Construction permit to increase power from 1 KW to 5 KW, change hours of operation from limited time to unlimited time, install new transmitter, directional antenna for day and night use and change location of transmitter from Paterson Plank Road, Carlstadt, N. J., to near Kingsland, N. J.

WINS—Hearst Radio, Inc., New York, N. Y.—Construction permit to increase power from 1 KW to 10 KW, change hours of operation from limited time to unlimited time, install new transmitter, directional antenna for day and night use, and change location of transmitter from Paterson Plank Road, Carlstadt, N. J., to near Kingsland, N. J.

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified), which authorized increase in power from 1 KW to 50 KW, change hours of operation, installation of new transmitter, directional antenna for day and night use, and move of transmitter for extension of completion date from 11-3-42 to 11-3-44.

1110 Kilocycles

WMBI—The Moody Bible Institute of Chicago, Ill.—Authority to determine operating power by direct measurement of antenna power.

1140 Kilocycles

KGDM—E. F. Peffer, Stockton, Calif.—Modification of construction permit (B5-P-3199 as modified), which authorized change in frequency and hours of operation, increase power and installation of new transmitter and directional antenna for night use, for extension of completion date from 10-20-42 to 12-20-42.

1170 Kilocycles

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Extension of special service authorization to operate unlimited time, using 25 KW night and 50 KW daytime, directional antenna night and using transmitter authorized by construction permit for the period ending 4-1-44.

1250 Kilocycles

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. Car.—Construction permit to move present licensed RCA transmitter to location of main transmitter as authorized by construction permit and use same as an auxiliary with power of 250 watts.

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100 as modified), which authorized increase in night power and directional antenna for day and night use for extension of completion date from 10-16-42 to 11-16-42.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Construction permit to install new sampling loops.

1440 Kilocycles

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Authority to make changes in automatic frequency control equipment.

1490 Kilocycles

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Modification of construction permit (B2-P-3097) which authorized construction of new standard broadcast station for approval of studio site, change in transmitter location and antenna changes.

FM APPLICATIONS

W63NY—Marcus Loew Booking Agency, New York, N. Y.—License to cover construction permit (B1-PH-3 as modified) which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

W69PH—WCAU Broadcasting Co., Philadelphia, Pa.—License to cover construction permit (B2-PH-127) which authorized construction of new high frequency broadcast station.

TELEVISION APPLICATIONS

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23 as modified) which authorized construction of new television broadcast station for extension of completion date from 10-28-42 to 4-28-43.

MISCELLANEOUS APPLICATIONS

WEGR—Westinghouse Radio Stations, Inc., area of Philadelphia, Pa.—License to cover construction permit (B2-PRE-423) which authorized construction of new relay broadcast station.

WJZM—Roland Hughes, Clarksville, Tenn.—Voluntary assignment of license to William Kleeman.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Harlem Company, 30 Church St., New York, is charged in a complaint with misrepresentation. (4843)

Happy Hostess Candy Company, Inc., and Harry Rachlin, as its president, 615 South Peoria St., Chicago, are charged in a complaint issued with use of lottery methods in the sale and distribution of their products. (4842)

Hecht Company, also trading as Hecht Bros., Baltimore, operating department stores in Baltimore, Washington and New York, is charged in a complaint with misrepresentation in the sale of mattresses. (4840)

Innerclean Manufacturing Co., 846 East Sixth St., Los Angeles, and Wilbur C. Jeffries, engaged in the advertising business as W. C. Jeffries Co., 165 North LaBrea Ave., Los Angeles, are charged in a complaint with misrepresentation in the sale of a medicinal preparation (4839)

Leonard Custom Tailors Co., also trading as Leonard Custom Tailors Co., Leonard Custom Tailors and as Avon Park Clothes, Textile Building, Cincinnati, Ohio, manufacturers and distributors of men's clothing, is charged in a complaint with misrepresentation. (4845)

Richman Brothers Co., 1600 East 55th St., Cleveland, Ohio, manufacturers and distributors of men's clothing, which operate approximately 62 retail stores in 47 states throughout the country, is charged in a complaint with misrepresentation. (4844)

Van Camp Sea Food Co., Inc., Terminal Island, Calif., packer and distributor of canned fish, including tuna, is charged in a complaint with violation of the Robinson-Patman Act by making unlawful discriminations in price and in services in connection with the sale of its products. (4841)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Memorial Granite Company, Inc., Quincy, Mass., manufacturer and distributor of tombstones and monuments, has been ordered to cease and desist from misrepresentation. (4214)

Sherman Hat Company, 159 North Wabash Ave., Chicago, and Ben D. Fogel and Louis Singer, trading as B. & L. Hat Co., 612 West Lake St., Chicago, have been ordered to cease and desist from misrepresentation in the sale of hats. In each case, the Commission finds that the respondents were engaged in the business of manufacturing women's hats from felt and other materials obtained from old, worn and previously used hats and selling their products to retailers and other dealers without disclosing by markings or labels that the hats were made from old and previously used hat bodies, such practice constituting a representation that the hats were new hats manufactured entirely from new materials. (4628-4679)

R. L. Watkins Company, 170 Varick St., New York, with its principal factory at Newark, N. J., manufacturer and distributor of various cosmetics and proprietary products, including a dentifrice known as "Dr. Lyon's Tooth Powder," has been ordered to cease and desist from misrepresentation of its dentifrice product. (3596)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Alert Safety Products Corp., 879 Broadway, Newark, N. J., engaged in the sale and distribution of a product designated "Sure-Out," purportedly for use in extinguishing magnesium incendiary bombs, has stipulated to cease and desist from representing that the product has been proven to be effective in extinguishing, or will extinguish magnesium fire bombs in homes or elsewhere when in contact with combustible material; representing by the use of any statement such as "Tested By United States Governmental Agencies" or by depictions, or in any other manner, that the product has been approved, endorsed or recommended by any department or agency of the United States Government, or using statements to the effect that no dangerous gases or after odors result from use of the product. (3537)

Armor Insulating Company, 800 Forrest St., Atlanta, Ga., also trading as Defense Blackout Company, engaged in the sale and distribution of blackout material and equipment, has stipulated to cease and desist from use of the trade name "Defense Blackout Company" and from the use of the word "Defense" in any manner, the effect of which causes the belief that the corporation or its selling agency is an agency of the United States Government; and representing by use of statements, such as "Meet all the requirements of the Army, Navy and Civilian Defense," or in any other manner, that its products have been approved, endorsed or recommended by the War Department, the Navy Department, the Office of Civilian Defense, or any other department or agency of the United States Government. (3539)

Howard Wig Company, 143 West 125th St., New York, engaged in the sale and distribution of hair goods, cosmetic preparations and related products, has stipulated to cease and desist from representing that healing will be accomplished by use of Nadine Flesh Soap; that Nadinola Bleaching Cream will clear away freckles or muddy sallow skin or is capable of whitening the skin; that High-Brown Cold Cream is a skin food; that Overtons High-Brown Bleach Ointment is an effective treatment for pimples, blackheads, eczema or other skin diseases; that Aida Hair Pomade encourages the growth of hair or is a competent treatment for dandruff; that High-Brown Hair Grower will grow hair or is a competent treatment for dandruff; that Apex Hair Preparation is an effective treatment for dandruff or for thin or falling hair; or that Apex Pomade is an effective treatment for short, thin or falling hair or thin temples, or that it constitutes an adequate treatment for scalp eruptions generally. (3536)

National Automotive Fibres, Cohoes, N. Y., engaged in the manufacture and sale of milk filter discs used in the dairy industry in the straining of milk to remove particles of foreign matter, has stipulated to cease and desist from use of the word "non-cotton" as descriptive of its discs or in any way so as to imply that the fabric of which the discs are composed contains no cotton. (3538)

B. G. Pratt Co., 50 Church St., New York, selling a medicinal preparation designated "Sulfo-Bath," has stipulated to cease and desist from representing that the product is effective for the relief of nervousness, colds, insomnia, pimples, eczema, hives or poison ivy; that it has any effect on rheumatism, neuritis, sciatica, arthritis or lumbago except to the extent that it may relieve the pains of such conditions; that it is "health-giving" or provides or causes radiant health; that it will give one energy; that by use of the product sulphur will be absorbed into the system or that it will give one a healthy or beautiful complexion; that the product relieves or aids in relieving the conditions which cause dandruff, itching scalp or falling hair or that it relieves skin troubles; or that it is effective in severe cases of athlete's foot. (03058)

Standard Sales Company, 2231 First Ave., North, Birmingham, Ala., selling a preparation known as "Speedo Headache Powders," has stipulated to cease and desist from representing that the preparation will have any effect on colds in excess of such relief as it may afford for the pain and discomfort of head colds; that it will eliminate, remedy or cure head colds, minor muscular aches, simple neuralgia or jittery nerves; that it is a stimulant or stimulates; that it contains special ingredients that dissolve in a hurry, or that the preparation is safe. (03055)

Vegetable Juice & Products Co. and Vegetable Products Co., 480 East Main St., Rochester, N. Y., sellers and distributors of a product designated "ViVi-Ta Superior Wheat Germ," have stipulated to cease representing that the product will provide users with any significant amount of vitamin A or of the minerals calcium, iron, copper, magnesium or manganese; or that it can be relied upon to prevent colitis, sterility, eye cataracts, or gray hair, or to successfully treat catarrh, arthritis, neuritis, eczema, or anemia, or to stimulate the liver or pancreas, or to strengthen the heart muscles or retard old age, or to normalize calcium metabolism, or improve the condition of the sinus membranes, or the condition of the hair, nails or scalp, or to increase nerve energy, vigor, mental powers, or nerve and muscle tone, or to provide an effective aid during the period of menopause, or to exert a specific nourishing effect upon the nerves or brain; or that it will have any value in cases of constipation, lack of energy, devitalized tissues and glands and ill health except where and to the extent that such conditions may be due to a deficiency of the vitamins found in the product. (03059)

FTC CLOSES CASE

The Federal Trade Commission has closed the case growing out of its complaint against T. F. Hee, trading as The Eastern Herb Company and as T. F. Hee Herb Company, San Diego, Calif. The complaint alleged that the respondent had represented his preparation as competent treatments for several diseases and ailments.

The case is ordered closed without prejudice to the right of the Commission, should future facts so warrant, to reopen it and resume trial in accordance with its regular procedure.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 41, October 16, 1942

DISTRICT MEETINGS SCHEDULE

District	*Day*	Date	*Place*
3	Monday-Tuesday	Oct. 19-20	Benjamin Franklin Hotel Philadelphia, Pennsylvania
4	Friday-Saturday	Oct. 23-24	Carolina Hotel Pinehurst, North Carolina
5	Sunday-Monday	Oct. 25-26	George Washington Hotel Jacksonville, Florida
	Wednesday-Thursday	Oct. 28-29	Henry Grady Hotel Atlanta, Georgia
6	Friday-Saturday	Oct. 30-31	The Hermitage Nashville, Tennessee
12	Monday-Tuesday	Nov. 2-3	Tulsa Hotel Tulsa, Oklahoma
13	*Wednesday-Thursday	*Nov. 4-5	Baker Hotel Dallas, Texas
14	Monday-Tuesday	Nov. 9-10	Ben Lomand Hotel, Ogden, Utah
16	Thursday-Friday	Nov. 12-13	Ambassador Hotel Los Angeles, California
15	Monday-Tuesday	Nov. 16-17	Fairmont Hotel San Francisco, California
17	Thursday-Friday	Nov. 19-20	Portland or Seattle (to be announced)
11	*Monday-Tuesday	*Nov. 23-24	Nicollet Hotel Minneapolis, Minnesota
10	Friday-Saturday	Nov. 27-28	Fort Des Moines Hotel Des Moines, Iowa
9	Monday-Tuesday	Nov. 30-Dec. 1	Palmer House Chicago, Illinois
8	Wednesday-Thursday	Dec. 2-3	Columbia Club Indianapolis, Indiana
7	Friday-Saturday	Dec. 4-5	Deshler-Wallick Columbus, Ohio
2	Monday-Tuesday	Dec. 7-8	Biltmore Hotel New York, N. Y.
1	Wednesday-Thursday	Dec. 9-10	Boston, Massachusetts (hotel to be announced)

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* Note change in dates.

NAB BOARD MEETING

As announced in last week's REPORTS a special meeting of the Board of Directors was held on Tuesday and Wednesday (13-14) in Chicago. The entire Board was present with the exception of Frank King, who was ill, and J. O. Maland who was prevented from attending on account of a death in his family.

A lengthy discussion of NAB internal matters and

(Continued on page 600)

DISTRICT MEETINGS

In addition to President Neville Miller and Broadcast Advertising Director Lew Avery from the NAB staff, acceptances have been received from the Office of Censorship, represented by Gene Carr; OWI, represented by Carl Haverlin; Office of Civilian Defense, representative to be named; the Marine Corps represented by area public relations officers; the Navy, by its area public relations

(Continued on page 600)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Howard Frazier, *Director of Engineering;* Arthur C. Stringer, *Director of Promotion*

NAB BOARD MEETING

(Continued from page 599)

industry unity took place and decision was reached that the best interests of the industry will be served by the continuance of Neville Miller as president of the NAB. He was authorized to secure at the earliest possible time a proper person to serve as Director of Public Relations and to call upon a Board committee to aid him in making this selection.

The AFM situation was reviewed and the plans for the institution of cases in state courts were endorsed.

The forthcoming series of District meetings was announced and the Board pledged its support to make these meetings fully worthwhile.

DISTRICT MEETINGS

(Continued from page 599)

personnel; the Army, by Colonel Kirby, Captain Pellegrin and Robert Coulson in various sections, but present at all meetings; the Treasury Department, by Vincent Callahan or someone designated by him at various meetings.

There is still a possibility that the War Production Board and Selective Service will also be represented. These meetings offer a splendid opportunity for station managers, sales managers, news editors, engineers and program directors to confer among themselves and with government officials on subjects of vital importance.

NORRIS RESOLUTION

Neville Miller made the following comment on the radio resolution introduced in the Senate on Thursday by Senator George W. Norris, of Nebraska:

"The resolution introduced in the Senate today by Senator George W. Norris of Nebraska constitutes one of the gravest threats to freedom of speech in recent years.

"It would direct a Senate committee to determine whether a government agency should decide what the people of America should hear and what they should not hear on the radio.

"If the proposed investigation materializes, you may be sure that all the advocates of bureaucratic control of both radio and the press will be on hand to urge the enactment of a law which would put an end to the American System of Broadcasting

"In the case which led Senator Norris to introduce his resolution, the broadcasting companies involved, acting in strict accord with the National Association of Broadcasters' Code of Program Standards, refused to sell time to a consumer organization to discuss the philosopy of the consumers movement—a controversial public issue.

"This Code provides, among other things, that broadcasting stations are under an obligation to present discussion of controversial public issues without charge to the speakers, in such amount as would serve the public interest.

"Consumers' organizations frequently have been given time on the air to discuss their movement, and have been sold time to advertise their goods when they have goods for sale."

The text of the resolution:

"Whereas, the Cooperative League of the United States of America has reported in a resolution formally adopted at the 13th biennial congress of the League that the National Broadcasting Company and the Columbia Broadcasting System had unfairly and unjustly discriminated against the League by denying the League the opportunity to purchase radio time, and:

"Whereas, This report of the Cooperative League of the United States of America raises a very vital question as to the necessity for amendments to the Communications Act of 1934: Now, therefore be it

"Resolved, That the Committee on Interstate Commerce, or any duly authorized sub-committee thereof is authorized and directed to obtain such facts as the Cooperative League of the United States of America, the broadcasting companies, the Federal Communications Commission, the Department of Justice and other government agencies and other groups of persons who may have bearing on the accuracy of the charges of discrimination against cooperatives and others by the major broadcasting companies in the sale of their radio time; and on the question whether the Communications Act of 1934 should be further amended to authorize the Federal Communications Commission to prevent such discrimination or should otherwise be amended to deal with the problem of granting further authority to the said Commission by or affecting the power of said broadcasting companies. The said committee or duly authorized sub-committee is authorized and directed to secure the assistance of other government agencies in an investigation thereof be authorized and to report to the Senate the facts ascertained in the course of the investigation and the resolution herein.

"For purposes of this resolution, the Committee or any duly authorized committee thereof is authorized to hold special hearings, to set and act at such times and places during the seasons, recesses, and adjournment period of the Senate, to require and subpoena the attendance of such witnesses and production and impounding of books, papers and documents, to administer oaths and to take such testimony as at times advisable. The cost of stenographic services to report such hearings paid in accordance of 25 cents per hundred words. The expenses of the committee or any duly authorized sub-committees thereof, which shall not exceed $1,000, in addition to the cost of stenographic services to report such hearings shall be paid from the contingent fund of the Senate upon voucher approval by the Chairman."

COL. MARRINER ASKS EDUCATORS FOR MORE RADIO CLASSES

A letter urging the establishment of additional courses in the ESMWT-NAB course in the Fundamentals of Radio is being mailed this week and next to educational institutions.

It is signed by Colonel A. W. Marriner, Director of Communications, Army Air Forces, and is timed as a follow-up to similar letters written by member stations.

As an indication of the excellence of graduates of Parts I and II of Fundamentals of Radio, it was learned yesterday that two young women, after the 32 weeks of instruction, were among those engaged to teach men and women working on secret radio equipment for the fighting forces.

Stations are urged to make known to educators their willingness to cooperate in recruiting students.

Broadcasters should also see to it that new courses in their areas have enough women students or men civilians, outside of the draft, to fill the gaps left by their technicians being called to the colors.

The armed forces, which are among the heaviest users of radio, know that broadcast stations must be kept operating in spite of the inroads which they continue to make on technical personnel.

The law under which ESMWT disbursements are made governs admissions. The tendency is to limit to those required for the Enlisted Reserves of the Air Forces and Signal Corps and industry. Those required for industry, while considerable, are only a fraction of the number required by the above mentioned forces.

Men who maintain a good average in the Fundamentals of Radio will be deferred from active duty.

It is urged that this fact never be particularly stressed in any announcement which educational institutions may ask you to make when recruiting. This training, in itself, must never be permitted to develop into a fox-hole for anyone who might wish to delay military service.

On the other hand, these courses, with deferment which permits students to produce while learning, are a decided advantage to the Air Forces, Signal Corps and the Nation.

For the record, Colonel Marriner's letter to educators is reproduced in full:

"The tremendous expansion of the Army Air Forces require that a large number of additional radio men be trained. The demand is taxing existing Army communications training facilities. As was pointed out recently by General Sommervell, the armed forces must depend to an increasing extent upon educational institutions throughout the United States to furnish preinduction training.

"To assist in filling the demands of the Army Air Forces for additional communications personnel, arrangements have been completed recently whereby ESMWT institutions will train individuals in the Enlisted Reserves, in accordance with the following:

"Those eligible for enlistment must be high school graduates with at least two years of high school math.

Physical Requirements

"Must be able to pass Army physical examination. However, it is possible for those qualified for limited service only to enter in accord with the recent relaxation of physical entrance requirements for the Army.

How the Plan Operates

"Those enlisting will be permitted to take the special 16 weeks course of instruction in Fundamentals of Radio I. Those passing this first course satisfactorily may enter the class in Fundamentals of Radio, II. The maximum draft deferment permitted is 9 months. Anyone who fails to make a reasonably good showing in the course is subject to immediate induction.

"At the completion of the course the trainee is subject to call to active duty. Upon entering the Army Air Forces he will be assigned either to an Army Air Forces technical training school or will be sent directly to operational training units.

"After induction into the Army Air Forces, following the successful completion of the course in fundamentals of radio, the men may be given considerable latitude in exercising their preference for intensive training in any particular phase of communications. There is a need for radio men in the air crews and in the ground crews. Flying is optional.

How to Arrange Courses

"Arrangements to establish courses for training men enlisting in the Enlisted Reserve Corps of the Army Air Forces are made with the Office of Education through local ESMWT representatives. In instances where courses are now set up for giving instruction in the fundamentals of radio, it is not necessary to set up a new course. Instead, those desiring to enter the Enlisted Reserve Corps of the Army Air Forces may do so merely by contacting their local recruiting office. Application blanks in whatever quantity you need will be sent on your request.

"If you have any question, please write directly to me. Also I should appreciate hearing of your plans and progress. By working together we can do much towards alleviating this shortage of radio men in the armed forces."

More Radio Courses Planned in Connecticut

At the call of Franklin M. Doolittle, president, WDRC, Hartford, Conn., and Dean J. H. Lampe of the University of Connecticut, broadcasters and educators met in Hartford on September 30 to lay plans for the training of additional radio technicians.

Present courses terminate during the first part of December. An expanded teaching program to be given shortly thereafter was agreed upon. The educators are now engaged in a survey to estimate the number of students they can train up to March 1, 1943.

Those attending, in addition to Mr. Doolittle and Dean Lampe, were:

Paul H. Nelson, University of Connecticut, Storrs; T. C. McCray, WTIC, Hartford; P. W. Davis, WNBC, Hartford; Walter Haase, WDRC, Hartford; C. T. DeLaney, WTHT, Hartford; T. Hillway, Hillyer Junior College, Hartford; Alan S. Wilson, Hillyer Junior College, Hartford; H. M. Turner, Yale University, New Haven; Claude W. Fawcett, Yale University, New Haven; Forrest R. Hughes, Yale University, New Haven; Richard P. Saunders, New London Junior College, New London; John C. Moore, Jr., WNLC, New London; E. J. Frey, WBRY, Waterbury; George Keich, WICC, Bridgeport.

Teach Signal Corps Radio

Ten members of WCAU's engineering and technical staff are now serving as part-time instructors for the Signal Corps courses being conducted by Drexel Institute of Technology with the cooperation of the Army Signal Corps.

CRITICAL OCCUPATIONS

The Chairman of the Board of War Communications has transmitted to the War Manpower Commission lists of critical occupations and definitions of such positions in the standard and the international broadcasting industries and the radio communications and wire telephone industries, it was announced Monday.

This material was prepared by various technical committees of the Board of War Communications at the request of the War Manpower Commission. The committees are composed of representatives of government, labor, and industry. They are furnished to the War Manpower Commission for that agency's consideration and appropriate action in connection with the establishment of a standard list of critical occupations. It is presumed that these lists, as officially approved by WMC, will be used by draft boards in considering Selective Service policies in drafting key personnel from the communications industry.

ENLISTMENTS

Selective Service Headquarters has advised the NAB that the Army will not now receive any registrant for enlistment or commission unless his Local Board has released him, and that the Navy will not receive registrants in Class II-A, II-B or III-B unless released by the Local Board.

PAY FREEZING

Radio remains virtually untouched by the President's pay-freezing order of October 3, since salaries under $5,000 apparently are exempt (see NAB Reports, p. 589).

There are two schools of thought among government officials as to why the order left this loop hole: (1) that it was just an error and would be corrected, and (2) that it was felt "white collar" workers had not yet gotten increases in proportion to those obtained by the factory workers, and that the white collar workers should get "theirs" before their salaries were frozen.

Meantime, the War Labor Board has exempt from the order employers of not more than eight employees.

The Board also issued an order stating that employers could make individual wage adjustments as a result of:

a. Individual promotions or reclassifications
b. Individual merit increases within established rate ranges
c. Operation of an established plan of wage increases based upon length of service
d. Increased productivity under piece-work or incentive plans
e. Operation of an apprentice or trainee system.

These two orders are of no importance to radio unless and until the exemption on salaries under $5,000 is removed.

Programs for Victory

PORTSMOUTH TO PORTSMOUTH

Expressions of greeting crackled across the Atlantic on October 8 when Portsmouth, New Hampshire, saluted her namesake, Portsmouth, Hampshire, England.

The broadcast originated in the studios of Portsmouth's WHEB, and was short-waved overseas through WRUL, Boston.

Participating in the broadcast beamed to Britain were Portsmouth Mayor Stewart E. Rowe; Commander Charles M. Elder, USN (Ret), senior aide to the Commandant of the Portsmouth Navy Yard; Justin D. Hartford, publisher of the local newspaper; and Frank Patterson, president of the Rotary Club.

Prior to Mayor Rowe's opening remarks was a recorded message from Harold Butler, British Minister to the United States.

Highlight of the 15 minute program were these inspiring words, voiced by Commander Elder: "We at the Portsmouth Navy Yard are working harder, harder than ever before, to give our common arms the striking power that will carry death to the Axis—a death which even now they realize awaits."

RAZORBACK GAMES OVER KFPW

KFPW, Fort Smith, Ark., is bankrolling the University of Arkansas football games this season with war bonds getting the free commercials.

The home of the Razorbacks is Fayetteville which necessitates line charges. But Manager Pat Garner says the station is happy to assume them for such a worthy cause, "though it is a whale of expenditure for a 250 watter."

PROF. ABBOT HAS BIBLIOGRAPHY

A bibliography of "Radio Wartime Propaganda" has just been compiled by Professor Waldo Abbot of the University of Michigan, Ann Arbor. It was prepared as, "Suggested reading—speech 157, Wartime Radio Programs," which apparently is concerned with "Radio as a psychological weapon, goodwill builder, and public relations medium."

Sections are devoted to books, pamphlets and magazine articles.

OK IN SAN DIEGO AND TULSA

From Leah McMahon, program director, KFSD, San Diego, and Allan Page, assistant program director, KVOO, Tulsa, comes word of a successful Fire Prevention Week. Midwesterners riding B&O's radio equipped Capital Limited reported plenty of announcements over stations between Chicago and Washington.

WROK AND PAPERS IN DRIVE

The Rockford Register-Republic and Morning Star called on WROK to help in the promotion of the scrap salvage drive in northern Illinois.

In cooperation with the newspapers' campaign, WROK is scheduling spot announcements, special on-the-spot programs in connection with the drive, and daily salvage talks by John Rust, city editor of the Register-Republic, on the "Home Front" program. The station's civilian defense bulletins on three daily newscasts also are being turned over to the salvage round-up.

Sales

Radio Showbook Contains Directory of Programs

As part of the September and October issues of "Radio Showmanship" magazine—and now to be issued as a separate booklet—the editor of this monthly publication for radio station distribution has released a 36-page directory of syndicated, transcribed script and live talent shows. Designed for the salesman who wants a pocket-size collection of program ideas, for the program director seeking tested shows for his market, and for the advertiser who wants to survey the field of syndicated programs, "Radio Showbook" lists 380 different syndicated programs.

Indexed and cross indexed, "Radio Showbook" contains a listing by producers, in which a complete synopsis of each program is given. These same titles are also broken up into five other categories.

In the break-down by subject matter are adventure series, Christmas features, comedy strips, detective stories, domestic serials, dramatic features, fiction adaptations, historical features, music, news features, patriotic features, quiz programs, religious features, sports, etc.

In the break-down by time units, all one minute, five minute, fifteen, thirty and 60 minute shows are grouped together according to length. Shows are also broken down by audience appeal, segregating those designed especially for juvenile, feminine and masculine ears. Syndicated programs especially adapted to specific businesses also rate a separate listing, and range from aviation to used cars. The alphabetical listing gives by title all shows incorporated into the directory.

The "Radio Showbook" is published by "Radio Showmanship" magazine, 1004 Marquette, Minneapolis, Minn.

Department Store Buys Football Broadcasts

The W. W. Scales Department Store of Starksville, Miss., has bought the choice games of the Mississippi State and "Ole Miss" football schedule for 1942 for broadcasting over WCBI, Columbus, Miss.

PER-INQUIRY OFFERS

The Roycraft Company of Minneapolis, Minn., is reported to be making a per-inquiry offer in an effort to sell a new product called "Rubber Life," which is painted on tires, allegedly to make them last longer. Not only is such business unethical, but government agencies and the rubber industry have repeatedly warned that no efficacious product of this type is now known.

The Williams S L K Laboratories of Milwaukee, Wis., manufacturers of several proprietary remedies, has been reported to be offering advertising of these products on a per-inquiry basis.

Several member stations have forwarded copies of the form letter and sample continuities being sent out by Van De Mark Advertising, Inc., urging the sale of the "Foto-Color" unit of the L & M Manufacturing Co., on a per-inquiry basis. The NAB Department of Broadcast Advertising has again written this agency protesting against the offer of this business on a per-inquiry basis.

DISTRICT 15 SPECIAL MEETING

A special meeting of the 15th NAB District was held at San Francisco on October 8. District Director Arthur Westlund, KRE, reported on the September 24-25 meeting of the Board of Directors and a general discussion was held regarding the inroads of Selective Service on key radio personnel of the 15th District. The matter of employment of 15th District radio personnel by the OWI was also discussed.

It was decided that election of the Director for the term beginning in 1943 should be held at the regular forthcoming District meeting scheduled for November 16-17 in San Francisco, and a nominating committee was appointed to report to that meeting.

A general discussion regarding industry unity and NAB personnel was had and the District Director was given instructions.

The following were present:

C. L. McCarthy, KQW; Joe W. Elwood, KPO-NBC; Lindsey Spight, John Blair & Co.; Leo O. Ricketts, KFBK; Ad Friel, KLX; John Brunton, KQW; Ed Franklin, KJBS; Wilt Gunzendorfer, KSRO; Charles E. Marin, CBS; Wilfred L. Davis, KYA; S. B. Brunton, KJBS; Clyde F. Coombs, KARM; Bernard E. Cooney, KDON; Howard Walters, KDON; Bil Ryan, KGO; Ralph R. Brunton, KQW; and Art Westlund, KRE.

"MONOPOLY" SUIT ARGUED

No decision has as yet been handed down in the CBS-NBC case against the Government seeking an injunction against the operation of the Network Regulations, which were argued Tuesday in New York before the statutory three-judge Federal Court.

FEDERAL COMMUNICATIONS COMMISSION

FCC APPOINTMENT

Rosel H. Hyde has been appointed Assistant General Counsel of the FCC Legal Department, Broadcast Division. He fills the vacancy created by the resignation of Lucien Hilmer.

Hyde was born in Idaho in 1900 and was educated in the public schools of that state. He attended the Utah Agricultural College and the George Washington University Law School of this city. He is married and has three children. Hyde was a member of the legal staff of the Federal Radio Commission from July, 1928 to 1934 and has been on the staff of the FCC from that time on.

919 STATIONS

During the month of September, 1942, the Federal Communications Commission granted no permits for the construction of new stations. Operating licenses were issued to three stations, and one station was deleted. A comparative table by month follows:

	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1
Operating	869	877	882	887	891	893	897	899	906	906	905	905	907
Construction	44	38	37	36	32	31	27	25	18	19	16	15	12
	913	915	919	923	923	924	924	924	924	925	921	920	919

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, Oct. 19. They are subject to change.

Monday, October 19

WLW—The Crosley Corporation, Cincinnati, Ohio.—Modification of license, **700 kc.** 50 KW day, 500 KW night, unlimited, using W8XO's trans.

Wednesday, October 21

NEW—Blue Network Company, Inc., Hollywood, California.—C. P., **31220, 35620, 37020, 39260 kcs.,** Em-A3, 25w, Sec. 4.24.

Thursday, October 22

Further Hearing

NEW—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert C. Levy, Ross M. Sams & Davis Stribling, Waco, Texas.—C. P., **1230 kc.,** 250 watts, unlimited.

K61LA—Metro-Goldwyn-Mayer Studios, Inc., Los Angeles, California—Modification of C. P., **46,100 kcs.,** 7,000 square miles, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted extension of special service authorization to operate on **560 kilocycles** with a daytime power of 1 kilowatt and nighttime power of 500 watts, until April 25, 1943 (B5-SSA-49).

WLAY—Muscle Shoals Broadcasting Corp., Muscle Shoals City, Ala.—Granted construction permit (B3-P-3508) to install new transmitter replacing the licensed transmitter which allegedly caught fire and was damaged beyond repair. (This action was taken in view of the condition of the licensed equipment and in consideration of the amount of operating time that has been lost due to transmitter failure.)

DESIGNATED FOR HEARING

David Ashton Brown, Marion, Ohio—Designated for hearing application for construction permit (B2-PARE-3) for a new Class II experimental (public address relay) station, using **310,000 kilocycles,** power of 1.35 watts, A3 emission.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Designated for hearing application for modification of license (B1-ML-1133) to change frequency from **1400 kilocycles** to **680 kilocycles.**

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending in no event later than February 1, 1943:

KBTM, Jonesboro, Ark.; KODL, The Dalles, Ore.; KSUN, Lowell, Ariz.

Granted renewal of following station licenses for the period ending in no event later than April 1, 1943:

KDLR, Devils Lake, N. Dak.; WSOC, Charlotte, N. C.

Granted renewal of following station licenses for the period ending in no event later than December 1, 1944:

WTJS, Jackson, Tenn.; WTSP, St. Petersburg, Fla.; KBWD, Brownwood, Tex.

KHUB—John P. Scripps, Watsonville, Calif.—Granted renewal of license for the period ending in no event later than June 1, 1943.

MISCELLANEOUS

KRLD—KRLD Radio Corp., Dallas, Texas.—Granted license (B3-L-1701) to cover construction permit (B3-P-3484) which authorized changes in directional antenna system. Also granted authority to determine operating power by direct measurement of antenna power (B3-Z-1429).

KGER—Consolidated Broadcasting Corp. Ltd., Long Beach, Cal.—Granted modification (B5-MP-1644) of construction permit (B5-P-3096), for extension of completion date to November 12, 1942.

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification (B3-MP-1645) of construction permit (B3-P-2944), for extension of completion date to 12-15-42.

WALB—Herald Publishing Co., Albany, Ga.—On the Commission's own motion, ordered that the issues heretofore released on the application for construction permit for change in frequency from **1590** to **1550 kilocycles** and authority to make changes in the directional antenna, be supplemented by the following issue: "To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement (Appendix I, Table III)." The present hearing date, November 9, 1942, is retained (Docket No. 6399).

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification of construction permit, as modified, which authorized change in frequency, increase in power, installation of directional antenna for day and night use, and move of transmitter, for extension of completion date from October 6 to November 6, 1942 (B3-MP-1651).

WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Granted license (B3-L-1713) to cover construction permit (B3-P-2938) for change in frequency to **590 kilocycles**, increase in power to 5 kilowatts, installation of new transmitter and directional antenna for night use, and move transmitter. Also granted authority to determine operating power by direct measurement of antenna power (B3-Z-1447).

WCOL—WCOL, Inc., Columbus, Ohio.—Granted authority to determine operating power by direct measurement of antenna power (B2-Z-1445).

KBTB—Red River Broadcasting Co. Inc., Duluth, Minn.—Granted construction permit (B4-PRY-289) to move transmitter of relay station from 16th St. and St. Louis Ave., to Frong St. and 63rd Ave. West, Duluth.

WDAB—Charleston Broadcasting Co., Portable-Mobile, Area of Charleston, W. Va.—Granted modification (B2-MPRY-32) of construction permit (B2-PRY-270) for new relay station, for extension of commencement and completion dates to 10-19-42 and 4-19-43 respectively.

The Associated Broadcasters, Inc., Portable-Mobile, area of San Francisco, Calif.—Granted license (B5-IRY-267) for new special relay broadcast station using already licensed equipment (of station KBSF); frequencies **1622, 2058, 2150, 2790 kc.,** 50 watts, to be operated as a special relay broadcast station with applicant's international broadcast station KWID.

R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co., Tennessee Radio Corp. (both of Nashville, Tenn.)—Adopted an order denying petitions of R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co. and Tennessee Radio Corp., requesting that their applications for construction permits for new stations be granted. The Commission further ordered that the applications be designated for further hearing upon the following issues: "1. To determine whether the granting of either of the above-entitled applications would be in conformity with the Commission's policy announced by its Memorandum Opinion of April 27, 1942; (2) To determine whether, in view of the foregoing, the granting of either of said applications would serve public interest, convenience, or necessity" (Dockets 6191 and 6193).

APPLICATIONS FILED AT FCC

590 Kilocycles

WOW—Woodmen of the World Life Insurance Society, Omaha, Nebraska.—Voluntary assignment of license from Woodmen of the World Life Insurance Society to Radio Station WOW, Inc.

610 Kilocycles

WDAF—The Kansas City Star Co., Kansas City, Mo.—Authority to determine operating power by direct measurement of antenna power.

920 Kilocycles

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va. —Modification of construction permit (B2-P-2913 as modified) which authorized changes in directional antenna system and increase in power for extension of completion date from 10-31-42 to 2-3-43.

1270 Kilocycles

WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—License to cover construction permit (B3-P-3385 as modified) which authorized construction of new standard broadcast station.

WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATION

Capitol Broadcasting Co., Inc., Schenectady, New York.—License to cover construction permit (B1-PH-23 as modified) which authorized construction of new high frequency broadcast station amended to cover construction permit in part in accordance with Commission Action of 8-4-42.

MISCELLANEOUS APPLICATIONS

WNYE—Board of Education, City of New York, Brooklyn, New York.—Modification of construction permit (B1-PED-18 as modified) which authorized changes in equipment, frequency, power, and emission for extension of completion date from 10-20-42 to 12-1-42.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, New York. —License to cover construction permit (B1-PST-12) which requests reinstatement of construction permit (B1-PST-1) which authorized construction of new ST Broadcast Station, in part.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Jack Silverman and Associates, General Forwarding System, and Commercial Pen Co., 821 Market St., San Francisco, selling and distributing post cards intended to be used by creditors and collection agencies in obtaining information concerning debtors, are charged in a complaint with misrepresentation and unfair and deceptive acts and practices in commerce. (4846)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Chicago Technical College, 2000 South Michigan Blvd., Chicago, has been ordered to cease and desist from certain misrepresentations in connection with the sale of correspondence courses of instruction in drafting, building, and air-conditioning and refrigeration. (4089)

E. B. Moles—An order to cease and desist from misrepresenting the merits and qualities of a mechanical device designated "Gas-Miser," for use on automobile engines, has been issued against E. B. Moles, Sioux City, Iowa. Moles, who formerly conducted his business under the name of Malone & Moles, is no longer engaged in selling the device. (4557)

Zenith Radio Corporation—An order has been issued directing Zenith Radio Corp., 6001 West Dickens St., Chicago, to cease and desist from misrepresenting the qualities and characteristics of radio receiving sets it manufactures and sells.

Findings of the Commission are that the respondent has falsely represented in advertisements and radio broadcasts that its receiving sets are capable of bringing in programs broadcast from radio stations located in Europe, South America, and the Orient, every day, and that such programs will be reasonably audible and distinct at all times and under all conditions. Representations made by the respondent as to the number of tubes in its sets also were misleading, the Commission found.

Under the order, the respondent company is directed to cease and desist from representing that any of its sets will bring in broadcasts from any foreign station "every day," or are capable of providing reasonably audible and distinct reception of foreign broadcasts at all times or under all conditions; and from representing that any set contains a designated number of tubes or is of a designated tube capacity, when one or more of the tubes referred to are tubes or other devices which do not perform the recognized and customary functions of tubes in the detection, amplification, and reception of radio signals.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Brooklyn Overall Co., 181-191 Belmont Ave., Brooklyn, engaged, among other things, in the manufacture and sale of painters' drop cloths, have stipulated to desist from use of the words "ten ounces" as descriptive of the average weight per square yard of such cloths and from use of any words conveying the belief that the material of which the cloths are made is of an average weight per square yard other than what is actually the fact. (3543)

Delano Co., Inc., and F. H. Delano, 558 East Genesee St., Syracuse, N. Y., engaged in selling a medicinal preparation designated "Delano's," have stipulated to cease and desist from representing that the preparation is a remedy or cure for rheumatism and is a tonic or alternative. (03060)

Estabrook & Eaton Co., 256 Washington St., Boston, engaged in selling "Leighton" cigarettes, has stipulated to cease representing directly or by implication that Leighton cigarettes are the only ones containing nature-ripe tobacco or that they do not irritate the throat or do not affect the nerves. (03062)

National Galleries of New York, Inc., and Randolph Fajen, also trading as Continental News-Photo Service and as Pach Studios, 45 West 57th Street, New York, engaged in the sale and distribution of photographs, have stipulated to cease and desist from use of the word "News" or any word or term of similar import in the trade name "Continental News-Photo Service" or, as part of any other trade or corporate name to designate or describe a business which principally is that of selling photographic prints to persons photographed; representing or implying in any manner to any prospective customer that they or their sales representatives or agents are news or press photographers; or representing that any photograph solicited by them is for press or publicity purpose unless such photograph is for news or press use. (3541)

Nu-Art Films, Inc., 145 West 45th St., New York, engaged in the leasing, selling and distribution of 16 millimeter motion picture films, has stipulated to cease and desist from use of the words "In His Steps" as a designation or title of a motion picture film which is not, in fact, an adequate adaptation or film version of the book entitled "In His Steps," written by Charles M. Sheldon, and from use of any other words tending to convey the belief that the film is an adaptation or film version of the book. (No. 3542)

Pach Brothers, a corporation, and Alfred Pach, its president and treasurer, also trading as Pach Studios, engaged in the sale and distribution of photographs, including miniatures designated "goldtone miniatures," have stipulated to cease and desist from representing that any miniature or photograph which has not been prepared for or displayed in an exhibition, has been prepared for exhibition purposes or displayed in an exhibition; representing that miniatures or photographs produced for, or ordered by, customers or prospective customers are made from negatives found to be "admirably adapted'" to "goldtone miniatures" for exhibition purposes or are made from negatives especially selected by reason of their outstanding merit or quality; representing that their miniatures have ever sold for $75 or any amount in excess of that for which they have actually been sold; representing as the customary or regular price of such miniatures, any price which is in excess of the price at which they have been customarily sold by them in their usual course of business and from representing that the price at which the miniatures are offered constitutes a reduced or special price, when in fact such price is the usual or customary price at which they are sold by them in their normal and usual course of business. (3540)

Taylor Drug & Seed Co., and Taylor Drug Co., Bessemer, Ala., engaged in selling a medicinial preparation designated "Taylor's Kolnox Compound," have stipulated to cease representing that the product will aid the system to maintain proper alkaline balance; that it is a cold remedy and will prevent, fight, control or rid one of colds; that it will clear the system of poisons; that it will relieve bad coughs, or have any value with respect thereto in excess of its ability to exert a slight cooling effect on the throat; that it will relieve or ease congestion; or by use of the expression "Kolnox" as part of the brand name of the preparation, or by any other words, that the preparation will cure colds. (03061)

SUPREME COURT RULES ON FTC CASE

The U. S. Supreme Court has denied the petition of Joseph Piuma for certiorari in which he sought a review of a decision of the Circuit Court of Appeals for the Ninth Circuit (San Francisco) which confirmed civil penalties of $3,250 imposed on him for violations of an order of the Federal Trade Commission.

In 1937 the Commission ordered Piuma, a manufacturing pharmacist of Los Angeles, to cease and desist from false representations of the therapeutic value of a medicinal preparation, "Glendage," sold as a gland tonic. Violations of the Commission order in 13 advertisements were noted and brought before the District Court for the Southern District of California, which imposed penalties of $250 for each violation. The ruling was appealed to the Circuit Court of Appeals for the Ninth Circuit which unanimously affirmed the judgment of the lower court. From this decision the respondent sought certiorari to the U. S. Supreme Court.

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 42, October 23, 1942

War Manpower Policy

Acting on the recommendation of the Women's Advisory Committee, Chairman Paul V. McNutt of the War Manpower Commission has issued a statement of policy calling for intensified recruitment and training of women workers on a voluntary basis in all phases of war production and essential civilian activities.

The increase in our armed forces and the expansion of the war production program necessitates the maximum utilization of our labor resources. The present number of gainfully employed workers, both men and women, is inadequate to fill even the immediate requirements of the war production program. These considerations require that substantially increased numbers of women be employed in gainful occupations in war production and essential civilian employment, especially in areas of labor scarcity. The recruitment and training of women workers must be greatly expanded and intensified. The active cooperation of Government agencies, educational institutions, management, labor, and women able to accept employment is essential.

The policy, which lays down basic national standards for the induction of women into the labor market, was approved by the Commission and also by its National Management-Labor Policy Committee.

Salient points in the policy are that management and labor organizations should remove all barriers against the employment of women in any occupations for which they are or can be fitted, and that women be admitted on a basis of equality with men to all forms of training. Due regard is to be given however, to the individual's qualifications for work, the physical requirements of occupations, and to working conditions.

Employers are asked to analyze all jobs in their plants, at once, to determine which can be filled by women and to prepare for employing the largest possible number.

Take An Inventory Now

By Major General Lewis B. Hershey, U. S. A., Director of Selective Service

Manpower is a most important strategic material of today. Every employer should make a prompt inventory, appraisal and analysis if the manpower in his own plant as he would inventory his stock pile. In order to keep production going and at the same time furnish men for the armed forces, industry should now establish an orderly replacement program.

In order to secure temporary deferments for essential men while he is training women, young men, older men, men physically handicapped or those with a high degree of dependency, the employer should know the fundamental principles in the operation of his local Selective Service Board. Certain steps should now be taken by each employer. He should know how many men on his pay roll are between the ages of 20 and 45. He should investigate the classification of every one of those men. On the basis of such an inventory he should prepare to plan ahead and train men for replacement of those who must necessarily enter the armed forces if we are to have the sort of army which can win the war.

Deferments Temporary

Deferments granted so that employers may train women or men not liable to early induction, are temporary deferments; they cannot exceed six months and in many cases may be for only thirty, sixty or ninety days. The Army today has to train a bomber pilot within a period of eight months to operate a very technical machine with an instrument board which puzzles an expert. Why, therefore, should industry insist that it assume that it can take two or three years to train men for industrial tasks not nearly so complicated?

The fundamental purpose of every deferment of a registrant is to allow an employer to train a replacement. Only in a few rare instances can an employer expect to have these temporary deferments continued for more than the six months period. These are only in cases where an abnormally long period of training is required for a replacement and the eight months needed in which a bomber pilot can be turned out now, is something to remember in this connection.

Employer's Responsibility

Employers may seek the deferment of their necessary men with or without their consent.

Here is how they go about it.

On page 3 of the Selective Service Questionnaire (Form 40) which is sent to each registrant before he is classified is the following:

> Instructions.—If your employer believes that you are a necessary man in a necessary occupation, it is his duty to fill out Form 42A requesting your deferment. You may also attach to this page any further statement by yourself which you think the local board should consider in determining your classification. Such statement will then become a part of the questionnaire.

This is on all the questionnaires distributed during the past six months. The fact that the Selective Service System now specifically mentions the filing of Form 42A as the manufacturers' duty is a clear indication of the Selective Service System view on the responsibility of each employer in this matter.

The employer can secure Form 42A at the local board and the local board will consider the employer's request when the form is properly filled out and signed.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

TAKE AN INVENTORY NOW

(Continued from page 607)

If such request should be denied because the man, after consideration of the claims offered for him, is not considered to be indispensable to the company's operation, and is needed more in the armed services, the local board will advise the employer of its refusal of such an occupational deferment.

The local board does this by sending to the employer, at the same time it notifies the registrant of his classification, a Form 59.

May Make Appeal

There are ten days after Form 59 is mailed by the local board to the employer during which the employer can appeal the registrant's case.

The registrant will not be ordered to report for induction during this ten-day period.

In order to take an appeal the employer simply has to sign his name to Form 59 which he has received, and return it to the local board; or in case the Form 59 is not received from the local board, any written request will have full value to make such an appeal effective.

When Form 59 is returned by the employer the appeal procedure becomes automatic.

All necessary forms are available at the local board in the employer's immediate vicinity or at the office of the State Director of Selective Service.

If the local board and the appeal board deny the appeal for the occupational deferment of a key man, the employer may then bring the matter to the attention of the State Director at the State Selective Service Headquarters, with the request that the case be reopened or appealed by him to the President.

Definite Duty

A double duty rests upon the employer. He should personally know what his manpower situation is. He should not leave the job to a minor employee to decide who is necessary. The employer who delegates the task of filing a request for deferment to a clerk, the executive who does not make a complete inventory of his whole plant today, is negligent. Likewise, the employer who files requests for deferment of men who can be replaced by women, or others, is keeping reinforcements out of an Army which is battling for us all. The employer engaged in essential war production who has been required to greatly expand his plant and who then fails to request deferment for his key men is also negligent.

A good rule to follow: Don't ask deferments for any men who can be replaced by training another individual not likely to be eligible soon for service in the armed forces.

Make an inventory, request deferment for any man whose immediate going into the armed services would retard production of vital war material or other services essential to the war effort, or who is needed to maintain national health, safety and interest.

Only when an employee is working in a critical occupation within an essential industry should a Form 42A be filed for his temporary occupational deferment.

Make Replacements

Yes, an inventory within a man's own plant is called for; also an appraisal and analysis of the manpower in the community. There is many a man over 45, or a man physically handicapped, or a woman who can do that job that the 23-year-old boy is doing who took a 12-weeks course at a learn-quick school.

There are not more than sixty million people in this country who are capable of effective productive effort. These men and women represent our total manpower available to win the war. They must do everything that must be done in a total war; maintain transportation, communications and utility systems, maintain public services, grow food for ourselves and our allies, mine the metals and produce the raw materials, fabricate and produce the amount of consumers goods necessary to maintain even a restricted national life and the supplies, weapons and munitions of war; also most of all they must provide the men who land on strange shores in far places, the men who carry the fight to the enemy on a multitude of far-flung frontiers. The rest of the population who mine raw materials and produce weapons with which these men fight must be a self-disciplined team working in unity. The individual personal convenience, comfort or pleasure, or the convenience and ordinary leisurely replacement programs of the employer, will have to be given progressively less consideration as the war gets tougher and the casualty lists grow.

When we hear of the big armies we are going to raise, we must all remember that it takes at least five men or women to produce what they eat, use, fight with, and wear. With less than sixty million availables in this country, those figures are worth deep consideration.

SELECTIVE SERVICE SUPPLEMENT

Supplement No. 1 to the NAB Selective Service Handbook, together with facsimile letters from eight Government war agencies attesting to the importance of radio broadcasting to the war effort, were mailed to all stations yesterday. Additional copies of the letters for filing with Form 42-A with Local Boards when seeking occupational deferment of "key" men are available upon request.

Other Supplements will be forthcoming as time goes on. The pages are numbered to follow on after the last page of the Handbook, and are punched. If the Handbook is filed in a ring binder, it is suggested that the staples be removed and that the cover be slit at the crease, also the pages; this permits of expansion between the covers to give space for the supplements.

SALARY FREEZING

The FCC is sending out this week that section of its 1942 financial questionnaire dealing with employment and payrolls for the week of October 11.

The NAB urges all its members to return the questionnaire *with all possible speed,* so that the information can be compiled and be in use at the earliest possible date.

Wage figures will be of especial importance this winter for use in connection with adjustments under the President's Executive Order of October 3.

Judge Byrnes, wage stabilization chief, announced to the press on October 18 that salaries below $5,000, as

(Continued on page 610)

NAB AND RMA TO COOPERATE In Maintaining Operation of Nation's Radio Sets

IN SPITE of enlistments, draft and other influences which have taken a toll of radio servicemen, the servicing of the nation's radio sets will go on in spite of "war and pestilence".

Every broadcaster is vitally concerned with the maintenance of radio sets in the millions of homes. Regardless of how effectively we program our stations, all efforts are fruitless unless sets are in working order for listening. The matter of servicing sets, therefore, becomes of vital and immediate concern to every broadcaster, every radio family, the Army, Navy, Marine Corps, Coast Guard, Treasury, Agriculture, other agencies, as well as to industry.

That was the unanimous decision of the Radio Manufacturers Association which acted this week to implement a plan of action. While RMA President Paul Galvin and M. J. Schinke, chairmen of the RMA Service Committee, are searching for the man to organize the work within the trade there are several necessary things for broadcasters to do immediately.

What to Broadcast Now

The No. 1 Right Now Job is for broadcasters to help increase the production of individual servicemen by saving their time. This is done by telling listeners to bring in their sets. Listeners will do this willingly when somebody else besides the servicemen explain the reasons. (We're not discussing big console sets at this time.)

FOR THE PRESENT all stations are asked to broadcast one (1) announcement a day, samples by mail next week, or a short discussion of the subject woven into a women's program, commentator's, news, or other programs. Change time and audience by rotation. By holding fairly close to the information in the announcements, we will be assisting the RMA's complex job even before it is set up to carry out organization matters. The job is difficult but it can and *WILL* be done by the efforts of a combined industry.

Do not increase the amount of help now requested. The job should be done by infiltration, a sustained campaign, not an intensive drive . . . . one schedule a day on 900 stations is the suggestion for now.

Tell This to the Local Radio Trade

1. Tell them in a letter, radio servicemen, parts and set jobbers that WPB will arrange for parts and materials for repair and maintenance of receiving sets. An industry committee has completed the standardization of component parts and materials. This is on the authority of Frank McIntosh, Chief, Civilian Radio Section, Radio and Radar Branch, WPB.

This is important because many servicemen are quitting because they believe mistakenly that parts will not be available. This assurance should keep men in the business.

2. Tell them that radio servicemen are eligible for consideration for occupational deferment because radio repairmen are included in the list of essential occupations issued by Selective Service in Occupational Bulletin No. 27. (See Supplement No. 1, NAB Selective Service Handbook (now in your hands), dated October 23, 1942 and now in the mail.)

If the local radio trade is interested it might be wise to call a meeting on this subject of deferment because RMA is in no position to do so until it gets organized. The key radio jobbers in your city would undoubtedly do it when you explain the facts. It is always necessary to make out a case for the local draft board and the Supplement and the Handbook would guide the local radio men. They probably do not have access to such information. Your Handbook and Supplement will help them.

3. Impress on servicemen that they are vitally needed and are performing an important duty, essential to the war effort, by maintaining the nation's home receivers. Do not encourage the employment of radio receiver technicians as broadcast operators. It is easier to make an operator than it is a serviceman.

Keep the meeting on the beam so that broadcasters do nothing to interfere with plans which RMA will evolve to be carried out through cooperative industry effort. Broadcasters will have plenty of time to do other things in addition to those suggested today—when the time is ripe.

For additional support of radio servicemen in building a case for their local draft board a quotation by William B. Lewis, Chief, Radio Bureau, Office of War Information, who voices the government viewpoint, should be helpful. This is it:

"The maintenance of radio as an essential industry, so classified by the Manpower Commission, is of utmost importance to the prosecution of the war."

Then there is support for the servicemen's position in the statement of Elmer Davis, Office of War Information Director, who stated at a Senate Hearing:

"This office has a direct and vital concern with the maintenance of the radio coverage of this country. It is one of the most important media for the conveyance of war information in general to the people, and may become of still greater importance when there is occasion for an emergency message from the national leadership."

RMA Takes Official Action

Employment of a full-time man to handle a wartime emergency plan for the servicing of home radio sets was authorized by the board of directors of the Radio Manufacturers Association, in New York City, on October 21. The board directed President Paul Galvin, Chicago, and M. J. Schinke, Chicago, chairman, RMA service committee, to proceed immediately with the selection of an outstanding man for the post.

This work will be carried on in close cooperation with NAB.

It was the opinion of the manufacturers that if the job was to be done it had to be done right. In their opinion this called for handling through organization of manufacturing, servicing and selling personnel. With that as a premise the board voted the finances necessary to get the program under way.

What broadcasters can do now to further this work of servicing sets is outlined elsewhere in this issue of the "REPORTS".

SALARY FREEZING

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well as those above, would be "stabilized." Control of salaries below $3,000 and those between $3,000 and $5,000 covered by collective agreements would be in the hands of the War Labor Board, while those above $3,000 not covered by union contract would be controlled by the Treasury.

When Judge Byrnes' statement is effectuated by an order, all radio salaries will be covered. The President's Executive Order of October 3 covered only hourly wage rates and salaries above $5,000.

Any broadcaster proposing to increase or decrease wages in this period should consult the NAB.

Third District Meeting

The meeting of the Third District broadcasters, the first of a series to be held in all 17 districts this fall, took place on Monday and Tuesday, October 19-20. District Director Isaac D. Levy, WCAU, called the meeting to order with some 70 broadcasters on hand.

NAB President Neville Miller gave a brief discussion of the war activities of the Association which was followed by an outline of the newly devised coordinating plan of the Office of War Information. This was presented by Douglas Meservey, assistant to William B. Lewis, Chief of the Radio Bureau of OWI, and by Carl Haverlin, Headquarters Consultant on Industry Relations for OWI.

Lt. Leon Levy, OWI coordinator for the Third District, also participated in the outline of the plan. It contemplates 12 war effort announcements a day for network affiliated stations and 16 for non-network stations, all to be one minute in length. Broadcasters are asked to enlist the cooperation of local advertisers in these campaigns. The announcements will originate from the central OWI office and the regional offices in the various areas. It was announced that the two transcribed programs now being used will be continued, namely, "Star Parade" and "This is the Enemy."

Stations are asked to set aside a strip, Monday through Friday, on which all government programs may be consolidated. Where live programs are originated by stations they are asked to contact regional OWI offices in order that fullest possible information may be available on what is being done in connection with war radio programs.

Louis B. F. Raycroft, regional director for Pennsylvania of the War Manpower Commission, spoke upon the work which is being done to make the greatest possible use of manpower. He stated they are cooperating very closely with the Selective Service and the Army and Navy to prevent the drafting or recruiting of men essential to the conduct of necessary civilian war activities.

Gene Carr, assistant to J. Harold Ryan, Radio Censor, outlined the philosophy of the Office of Censorship. He carefully reviewed the code and pointed out wherein broadcasters might avoid innocent violations.

Frank McIntosh, Head of the Radio Branch of the War Production Board, spoke upon the efforts being made to provide replacement parts for broadcast station transmitters and also upon the problem involved in servicing radio receiving sets. He stated that the War Production Board had made provision for replacement parts for receiving sets but the serious problem was lack of manpower to repair sets even though parts are available.

Mr. McIntosh stated that batteries are available only for standard sets and not for civilian portables nor are there spare parts for automobile radios.

Joseph L. Miller, NAB Director of Labor Relations, spoke on stabilization of wages and salaries and answered questions. He urged the stations to make fuller use of the NAB Labor Relations Department and to provide it with necessary information to enable it to function more effectively.

Sydney Kaye, NAB special counsel, presented NAB's point of view on the AFM situation. Samuel R. Rosenbaum, WFIL, criticized the Association's policy. (For full details see AFM Special Bulletin No. 12.)

Following this discussion, Clair R. McCollough, WGAL-WILM, moved that the meeting go on record as having complete confidence in the policy of NAB in the AFM controversy. This was seconded by Edward Clery of WIBG and was unanimously passed, Mr. Rosenbaum not voting.

The following were present: Leonard Kapner, WCAE; Edward D. Clery, WIBG; Stan Lee Broza, WCAU; C. G. Moss, WKBO; J. Nassau, WMRF; J. Gorman Walsh, WDEL; E. C. Anderson, WEST; Walter O. Miller, WGAL; Harold E. Miller, WORK; J. Robert Gulick, WORK; Clifford M. Chafey, WEEU; Robert G. Magee, WEEU; Raymond Gaul, WRAW; A. W. Chafey, WRAW; J. C. Tully, WJAC; George E. Joy, WRAK; Frank R. Smith, Jr., WWSW; Thomas W. Metzger, WRAK; David H. Rosenblum, WISR; Hal Seville, WJEJ; Howard Browing, Bigelow Thompson, Jack Maguire, Yale Merrill and Harry Kodinsky, Office of War Information; Lt. Com. J. Tenney, USNR; Lt. (jg) Ashley Halsey, Jr., USNR; 1st Lt. Thomas D. Richter, Jr., USA; Samuel R. Rosenbaum, WFIL; R. E. McDowell, WGBI; George D. Coleman, WGBI; Paul Harron, WIBG; William A. Schudt, CBS; Alexander W. Dannenbaum, WDAS; Joseph C. Burwell, WMBS; Harry C. Lewin, OWI; Ray Croft, War Manpower Commission; C. O. Langlois, Lang-Worth; Pierre Weis, Lang-Worth; C. C. J. Culmer, SESAC; Fred S. Boland, War Production Board; Leon Levy, WCAU; Isaac D. Levy, WCAU; Robert S. Kellogg, AMP; John Mayo, Associated Recording Program Service; M. M. Blink, and Gerald King, Standard Radio; Willis B. Parsons and John C. Treacy, NBC; Douglas Meservey, OWI; Charles E. Denny, WERC; J. Turner, NBC; R. W. Baker and Mrs. R. W. Baker, WITH; K. W. Husted and Elaine C. Ewing, OWI; Joseph L. Miller, Neville Miller and Lewis H. Avery, NAB; Victoria Corey, KDKA; Arthur Simon, WPEN; Herbert L. Pettey, OWI; James P. Begley, KYW; Harold Fellows, OWI; Eugene Carr, Office of Censorship; Edward J. Kroen, WKPA; B. A. McDonald, KYW; Elmer D. Free, Office of Civilian Defense; John E. Surrick, WFIL; Leslie Joy, KYW; Gordon Hawkins, Westinghouse; Leo J. Omelian, WLEU; R. B. Hudson, Rocky Mt. Radio Council, Denver, Colorado; Clari R. McCollough, WGAL; Roger Clipp, WFIL; Frank McIntosh, WPB; Carl Haverlin, BMI-OWI-NAB; Benedict Gimbel, WIP; Melvin Lahr, WKOK; Roy Thompson, WFBG; Henry N. Cocker, WTEL; Harry G. Templeton, WLS; Berton Adams, William Laughlin and E. Douglas Hibbs.

Programs for Victory

"SECOND FRONT" PROGRAM

Dr. Frederick A. Hodge, news commentator of WBEN, comes up with an idea which after consultation with OWI seemingly has some very good points. Dr. Hodge suggested that there be broadcast during the day, several announcements regarding the "second front" being right here at home.

OWI says that they feel this is a good idea and it would be advisable to use it somewhat as follows: "The second front is right here in ———— (give the name of the town)" and it goes on to observe that frequent explanation of the slogan should be announced, at least at the beginning. It suggests that the slogan should be followed with a few words to explain that offensive military action today was really fought out on the home front six months ago; that what we produce in the way of tanks and guns and planes, what sacrifices are made for the fighting forces, will have a direct bearing on the outcome of military action.

In that sense the OWI says the second front *is* right here at home. They feel that a clear public understanding of this point if brought out by the use of these announcements will have a very beneficial effect. It is passed on for such use as individual stations care to make of it.

WAR-EFFORT PROGRAMS FOR SCHOOLS

Radio Station WFIL is now serving school children in every grade from 1 to 12, in the Philadelphia Public Schools. Two patriotic, school-participation programs are presented over WFIL each Friday, in cooperation with the Philadelphia Board of Education; one program is carried by Philadelphia's elementary schools, the other by Philadelphia's high schools.

"The Quaker City Scrappers," featuring a musical character called "Filbert the Flea," consists of a series of broadcasts boosting the scrap metal drive, directed particularly to young children. In an entertaining manner, advice and instructions on getting in the scrap are presented. A group of school children appears on each broadcast, to discuss ways and means of getting more junk. A light motif is provided by the adventures of "Filbert the Flea," represented on the air by a piano monologue, with "Scrappy," champion child scrap collector of Quaker City. This broadcast is heard by an audience of 6,800 children in Philadelphia's elementary public schools. It is presented in cooperation with the Philadelphia Board of Education.

The "High School Victory Corps" program is broadcast by WFIL, cooperating with the Philadelphia Board of Education and the committee in charge of Victory Corps in Philadelphia High Schools, who prepare the program material. This program carries latest news and instructions from Victory Corps headquarters in Washington to students in all Philadelphia Public High Schools.

VACUUM TUBE REPAIRS

The Federal Telegraph Company, Inc., of 200 Mount Pleasant Avenue, Newark, New Jersey, has just announced that they will accept for repairing certain vacuum tubes of their own manufacture. The statement issued by Federal reads as follows:

"We are vitally interested in maintaining the operation of broadcasting stations and since tube materials are becoming more difficult to obtain, we have decided, where possible, to repair transmitting tubes of our manufacture. We feel confident that these tubes cannot be expected to equal the performance and reliability of new tubes, but in the present emergency will be better than no tubes at all.

"Our repair program at this point will be operated as follows:

1. We will repair or rebuild as required:

F-124A
F-125A
F-129A&B
F-307A
F-320B
F-328A
F-332C
F-337A
F-342A
F-343A
F-348A
F-363A
F-891A
F-891R
F-892A
F-892R
F-898A

2. We will determine cost of repair or rebuilding after we have had a report as to life and operating conditions and an opportunity to examine the tube at our plant.

3. Life guarantee if given will be based upon condition of the tube upon arrival at our plant.

4. The priority required will depend mainly on the requirements for new materials to effect the repair within a reasonable time.

"Since we have had no experience in this field, we feel that it is necessary to handle each tube as a separate problem until such time as we can determine average costs of repair for each tube."

For information concerning other organizations repairing vacuum tubes see page 580 of NAB Reports, October 2, 1942.

FEDERAL COMMUNICATIONS COMMISSION

FLY DISCUSSES COOPERATIVE BROADCAST RESOLUTIONS

James Lawrence Fly, FCC Chairman, at a press conference on Monday said he had not made a critical study of the complaint of the Cooperative League against the networks nor had he tried to make an exhaustive investigation of the possibility of legal action. "But it would be my judgment at this juncture that we do not have any authority to do anything about it," said Mr. Fly.

Mr. Fly called attention to the fact that the Commission had asked both networks for a statement of fact, and insofar as the Commission is concerned "that is where the matter stands at this time."

The chairman told the newsmen that the Board of War Communications Committees and the Board itself have completed their action insofar as a wartime basis of operation for the broadcasting industry is concerned. These recommendations, Mr. Fly said, have been forwarded to the FCC for its action. The chairman stated that an announcement of policy will be made shortly by the Commission. He estimated that the announcement would be coming along within a matter of a few days. "The matter has had a very thorough-going consideration," said Mr. Fly, "by most of the parties concerned. As you know the Domestic Broadcasting Committee and our Coordinating Committee have spent a considerable length of time on it, and the WPB staff have spent considerable time on it. I think we have got it in pretty good shape."

NORRIS RESOLUTION

The FCC has written to Mr. Niles Trammell, President of the National Broadcasting Company, and Mr. William Paley, President of the Columbia Broadcasting System, advising them that the Commission has received a letter from the New England Co-operative Federation, Boston, Massachusetts, stating that NBC and CBS have refused to sell radio time to the Cooperative League of the United States. Both organizations are requested to send the Commission a statement of the facts regarding the matter.

The Commission has also advised the New England Co-operative Federation that the request for a statement of the facts has been made and that the matter will be given appropriate consideration when the replies have been received.

The letter from the New England Co-operative Federation was submitted to the Commission by Senator Henry Cabot Lodge, Jr., to whom Chairman James Lawrence Fly replied under date of October 15, 1942:

"My dear Senator Lodge:

"This will reply to your memorandum of October 8, 1942, submitting for the consideration of the Commission a letter dated October 6, 1942, which you received from Savele Syrjala, Education Director of the New England Co-operative Federation, in which it is stated that the Columbia Broadcasting System and the National Broadcasting Company have refused to sell radio time to the Cooperative League of the United States for a 13-week series of Sunday afternoon broadcasts.

"The Commission has addressed letters to both the National Broadcasting Company and the Columbia Broadcasting System requesting a statement of the facts regarding this matter. As soon as the replies have been received, the matter will be given appropriate consideration by the Commission."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 26. They are subject to change.

Monday, October 26

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.,** 250 watts, unlimited.

Tuesday, October 27

Further Hearing

NEW—Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Penna.—C. P., **1240 kc.,** 250 watts, unlimited; request facilities of WBAX.

NEW—Central Broadcasting Co., Wilkes-Barre, Penna.—C. P., **1240 kc.,** 250 watts, unlimited; request facilities of WBAX.

NEW—Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Penna.—C. P., **1240 kc.,** 250 watts, unlimited; request facilities of WBAX.

NEW—Key Broadcasters, Inc., Wilkes-Barre, Penna.—C. P., **1240 kc.,** 250 watts, unlimited; request facilities of WBAX.

Wednesday, October 28

Oral Argument Before the Commission

Report No. B-152:

WPRA—Puerto Rico Advertising Co., Inc., Mayaguez, Puerto Rico.—Renewal of license, **790 kc.,** 1 KW night, 2½ KW day, unlimited.

NEW—Puerto Rico Advertising Co., Inc., Arecibo, Puerto Rico.—C. P., **1200 kc.,** 250 watts, unlimited.

WSSJ—Puerto Rico Advertising Co., Inc., San Juan, Puerto Rico.—C. P., **1500 kc.,** 250 watts, unlimited.

NEW—Caribbean Broadcasting Association, Inc., San Juan, Puerto Rico.—C. P., **1500 kc.,** 250 watts, unlimited.

Wednesday, October 28

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—C. P., **970 kc.,** 5 KW, DA-night, unlimited.

Thursday, October 29

St. Louis University, St. Louis, Mo.—Modification of C. P. for extension of completion date, **45100 kc.,** 13,000 square miles, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KVOS—KVOS, Inc., Bellingham, Wash.—Granted modification of construction permit for extension of completion date to April 30, 1943, of construction permit to install new equipment, directional antenna, move transmitter, increase power from 250 watts to 1 KW, using directional antenna, and change frequency from **1230 kc.** to **790 kc.** (B5-MP-1582). Denied request for special service authorization to operate on the frequency **790 kc.** (B5-SSA-25).

KPAB—Mervel M. Valentine (assignor), Howard W. Davis, J. K. Beretta and W. W. McAllister, d/b as Laredo Broadcasting Co. (assignee), Laredo, Tex.—Granted consent to assignment of license for station KPAB from Mervel M. Valentine to the Laredo Broadcasting Co., for a total consideration of $14,450 (B3-AL-349). Dismissed application of Laredo Broadcasting Company for a construction permit for a new broadcast station requesting the facilities of KPAB (B3-P-3510).

WJZM—Roland Hughes (assignor), William Kleeman (assignee), Clarksville, Tenn.—Granted consent to assignment of license for station WJZM from Roland Hughes to William Kleeman, for a total consideration of $25,250 (B3-AL-353).

WMSL—Clarence H. Calhoun, Jr. (transferor), Mutual Savings Life Insurance Company (transferee), The Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted consent to acquisition of control of The Tennessee Valley Broadcasting Co., Inc., Station WMSL, by Mutual Savings Life Insurance Co. through purchase of 60 shares common stock from Clarence H. Calhoun, Jr., for a total consideration of $4,000 (B3-TC-293).

DESIGNATED FOR HEARING

WEBR—WEBR, Inc., Buffalo, N. Y.—Designated for hearing application for construction permit for a booster station at North Tonawanda, N. Y., nighttime operation only, maximum power 100 watts (B1-P-3504).

WLAN—Thomas J. Watson, Endicott, N. Y.—Designated for hearing application for modification of construction permit which authorized a new standard broadcast station, for approval of transmitter site, operation without synchronous amplifier and installation of new transmitter (B1-MP-1370).

ACTION ON DOCKET CASES

The Commission announced adoption of an Order making final amended Findings of Fact and Conclusions (B-151), granting the application of Saginaw Broadcasting Company (WSAM), Saginaw, Michigan, for a modification of license to change operating assignment from 1230 kilocycles, 100 watts night, 250 watts day, specified hours, to 1400 kilocycles, 250 watts, unlimited time. (Docket No. 6127)

The Commission also announced its proposal to deny the application of West Allis Broadcasting Co., Inc., for a construction permit to establish a new standard broadcast station at West Allis, Wisconsin, to use 1480 kilocycles with 250 watts power, daytime only. In its Proposed Findings of Fact and Conclusions (B-157), the Commission concludes:

> "1. The policy announced by the Commission in the Memorandum Opinion of April 27, 1942, is based upon a recommendation of the Defense Communications Board (now Board of War Communications) and is for the purpose of conserving materials and the services of skilled persons to meet the requirements of the armed services of the United States during the present war. The policy specifically refers to the use and not to the acquisition of materials. The mere fact that the applicant has purchased or arranged to purchase all, or substantially all, of the materials necessary to construct the proposed station does not place it in a position where the application may be granted under the present policy.

"2. In view of the foregoing facts, public interest, convenience or necessity would not be served by the granting of the instant application."

FCC announced its proposal to deny the application of Louis G. Baltimore (WBRE), Wilkes-Barre, Pa., for a construction permit for a satellite station at Scranton, Pa., to operate with 100 watts power, simultaneously with Station WBRE. In its Proposed Findings of Fact and Conclusions (B-158), the Commission conclusions are substantially as quoted above in B-157.

FCC also announced its Decision and Order (B-155) granting the application of Yankee Network, Inc., Boston, Mass., for a construction permit for a high frequency (FM) broadcast station near Paxton, Mass., on Mt. Asnebumskit, with main studios in Boston, to operate on 44,300 kilocycles. This application was granted with the provision that the permit to be issued shall specify: (1) An area of 19,000 square miles within the 50 microvolt per meter contour of the projected station; and (2) the actual equipment now in use at Station W43B. (This station formerly operated as experimental station W1XOJ, and has operated under Special Service Authorization on a commercial basis as station W43B since April 1941. The granting of the instant application involves no construction.)

The Commission announced adoption of an Order making final its Findings of Fact and Conclusions (B-140), denying the application of the City of New York Municipal Broadcasting System to increase the hours of operation of Station WNYC on the frequency **830 kc.**, with its present power of 1 KW. The licensee sought to operate from 6 a. m. to 11 p. m., Eastern Standard Time, using directional antenna, instead of daytime until sunset at Minneapolis, as as present.

Commissioners Payne and Walker voted no to the above Order.

LICENSE RENEWALS

The following international broadcast stations were granted renewal of licenses for the period ending November 1, 1943:

KGEI, San Francisco; WBOS, Boston, Mass.; WCBX, WCDA, WCRC, New York City; WGEA, WGEO, Schenectady, N. Y.; WLWO, Cincinnati, Ohio, WNBI, WRCA, New York City.

WRUL—World Wide Broadcasting Corp., Boston, Mass.—Present license extended upon a temporary basis only, for the period ending December 1, 1942, pending determination upon application for renewal.

KGIW—E. L. Allen, Alamosa, Colo.—Granted renewal of license for the period ending in no event later than October 1, 1943 (B5-R-755).

WMUR—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Granted renewal of license for the period ending in no event later than June 1, 1944 (B1-R-1149).

Granted further extension of following licenses, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than December 1, 1942:

KAND, Corsicana, Tex.; KBST, Big Spring, Tex.; KCMC, Texarkana, Tex.; KFBC, Cheyenne, Wyo.; KFPY, Spokane, Wash.; KFRO, Longview, Tex.; KFXM, San Bernardino, Calif.; KGEK, Sterling, Colo.; KGFW, Kearney, Nebr.; KGGF, Coffeyville, Kans.; KGKL, San Angelo, Tex.; KHBG, Okmulgee, Okla.; KID, Idaho Falls, Idaho; KIEM, Eureka, Calif.; KMAC, San Antonio, Tex.; KPLT, Paris, Tex.; KRBA, Lufkin, Tex.; KRBC, Abilene, Tex.; KSWO, Lawton, Okla.; KVGB, Great Bend, Kans.; KWFC, Hot Springs, Ark.; KWKH, Shreveport, La.; KXL, Portland, Ore.; WBBZ, Ponca City, Okla.; WBIR, Knoxville, Tenn.; WBNX, New York, N. Y.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WBRW, Welch, W. Va.; WCOC, Meridian, Miss.; WCOP, Boston, Mass.; WEDC, Chicago, Ill.; WFCI, Pawtucket, R. I.; WFHR, Wisconsin Rapids, Wisc.; WFIN, Findlay, Ohio; WFPG, Atlantic City, N. J.; WGES, Chicago, Ill.; WING, Dayton. Ohio; WJBW, New Orleans, La.; WLOF, Orlando, Fla.; WMRO, Aurora, Ill.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan, P. R.; WOCB, near Hyannis, Mass.; WPAX, Thomasville, Ga.; WSPB, Sarasota, Fla.; WTEL, Philadelphia, Pa.; WTRC, Elkhart. Ind.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Present license further extended upon a temporary basis for the period ending December 1, 1942, pending determination upon application for renewal.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Present license further extended upon a temporary basis for the period ending December 1, 1942, pending determination upon application for renewal.

W8XO—The Crosley Corp., near Mason, Ohio.—Present license further extended upon a temporary basis only, pending determination upon renewal, for the period ending December 1, 1942.

MISCELLANEOUS

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1444).

KBON—MSB Broadcast Co., Omaha, Nebr.—Granted license to cover construction permit as modified, for new station (B4-L-1632). Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1363).

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Granted modification of construction permit as modified, which authorized change in frequency, increase power, new transmitter, move transmitter, and directional antenna for day and night use, for extension of completion date from October 22 to December 22, 1942 (B3-MP-1647).

W9XG—Purdue University, W. Lafayette, Ind.—Granted modification of construction permit, as modified, which authorized changes in equipment, frequencies, decrease in power and addition of aural channel using special emission for FM, for extension of completion date from September 24, 1942 to September 24, 1943 (B4-MPVB-88).

W9XPR—Balaban & Katz Corp., Chicago, Ill.—Granted license to cover construction permit as modified, which authorized new experimental television broadcast station; granted upon an experimental basis only, conditionally (B4-LVB-37).

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted license to cover construction permit as modified which authorized a new high frequency broadcast station (B4-LH-9).

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit as modified, for installation of directional antenna for day and night use and increase in power, for extension of completion date from October 16 to November 16, 1942 (B5-MP-1653).

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Granted modification of construction permit as modified, for change in frequency, increase in power, move transmitter, and install new transmitter and directional antenna for day and night use, for extension of completion date from October 19 to November 19, 1942 (B4-MP-1656).

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Granted petition to dismiss without prejudice application for modification of construction permit for extension of completion date (Docket No. 6245).

WJRM—Allegheny Broadcasting Corp., Elkins, W. Va.—Granted modification of construction permit, which authorized a new broadcast station, for approval of antenna and approval of studio site and transmitter site (B2-MP-1570).

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted license to cover construction permit as modified for new transmitter, changes in antenna system, and move transmitter and antenna (B4-L-1664).

KGDM—E. F. Peffer, Stockton, Calif.—Granted modification of construction permit as modified, which authorized change of frequency and hours of operation, increase power and installation of directional antenna for night use and new transmitter, for extension of completion date from October 20 to December 20, 1942 (B5-MP-1648).

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted license to cover construction permit as modified, which authorized increase in power and changes in directional antenna for night use (B3-L-1716); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1450).

WALB—Herald Publishing Co., Albany, Ga.—On the Commission's own motion, continued the consolidated hearing on applications for renewal of license, construction permit and assignment of license, now set for November 9, 1942, until November 19, 1942 (Docket Nos. 6398, 6399, 6400).

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted petition to intervene and enlarge issues in re application of WJLS, Beckley, W. Va., in Docket No. 5972.

WDSU—WDSU, Inc., New Orleans, La.—Granted motion for order to take depositions in re application for construction permit (Docket 6331), and for renewal of license (Docket 6332).

Beauford H. Jester, Individually and as Trustee for W. W. Callan, et al., Waco, Texas.—Granted motion for permission to file deposition in re application for new station (Docket 6218).

Frontier Broadcasting Co., Area of Cheyenne, Wyo.—Granted petition for dismissal without prejudice of applications for two new relay stations (Dockets 6413 and 6414).

National Broadcasting Co.—Granted motion for dismissal without prejudice of applications for new relay broadcast stations at Addison, Ill., Area of Chicago, and three for the San Francisco area (Dockets 6411, 6412, 6423, 6424, 6425).

Blue Network Co., Inc., San Francisco, Calif.—Granted motion for dismissal without prejudice of application for new relay station (Docket 6426).

Blue Network Co., Inc., Hollywood, Calif.—Granted motion for dismissal without prejudice of application for new relay station (Docket 6385).

WDAE—Tampa Times Company, Tampa, Fla.—Granted petition to dismiss without prejudice application for construction permit (Docket 6340).

Northeastern Penna. Broadcasters, Inc., Wilkes-Barre, Pa.—Withdrew petition for specification of issues in re application for new station in Wilkes-Barre (Docket 6170).

K51L—St. Louis University, St. Louis, Mo.—Granted motion for a continuance of the hearing on application for modification of construction permit for high frequency broadcast station K51L to extend completion date from August 4, 1942, to February 4, 1943; hearing continued to October 29, 1942 (Docket No. 6386).

WLW—The Crosley Corp., Cincinnati, Ohio.—On the Commission's own motion, continued until November 26, 1942, the hearing on the application of WLW for modification of license to operate with 500 KW until local sunset, 50 KW at night, using the transmitter of experimental station W8XO (Docket No. 6341).

WHCU—Cornell University, Ithaca, N. Y.—Granted petition to dismiss without prejudice applications for construction permit to operate on **610 kc.,** 5 KW, directional antenna night, unlimited time (Docket No. 6416), and for construction permit to operate on **640 kc.,** 1 KW, directional antenna night, unlimited time. (Docket No. 6417)

John W. Choate, Leonore V. Choate, E. P. Nicholson, Jr., and John Wallbrecht, a partnership, Middlesboro, Ky.—Granted motion to dismiss without prejudice application for construction permit for new station to operate on **1230 kc.,** 250 watts, unlimited time. (Docket No. 6404)

WNYE—Board of Education, City of New York, Brooklyn, N. Y.—Granted modification of construction permit, as modified, which authorized change in equipment, frequency, power and emission for non-commercial educational station, for extension of completion date from October 20, 1942, to December 1, 1942 (B1-MPED-15).

WTNJ—WOAX, Inc., Trenton, N. J.—Granted motion for continuance of hearing to December 2, 1942, on applications of WTNJ for renewal of license and for modification of license (Dockets 5893 and 6161); City of Camden (WCAM), Camden, N. J., for renewal of license and for modification of license (Dockets 5361 and 6144); and Radio Industries Broadcast Co. (WCAP), Asbury Park, N. J., for renewal of license and for modification of license (Dockets 5778 and 6145).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted motion for continuance of hearing to November 25, 1942, on application for modification of license to operate on **1250 kc.,** 250 watts, unlimited time (Docket 6216).

APPLICATIONS FILED AT FCC

560 Kilocycles

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Modification of construction permit (B4-P-2827 as modified) which authorized change in hours of operation, move of transmitter and installation of directional antenna for night use, for extension of completion date from 11-19-42 to 5-18-43.

610 Kilocycles

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Construction permit to move former licensed main transmitter and antenna to Front Street and 63rd Ave., West, Duluth, Minn. (site of new main transmitter) to be used for auxiliary purposes only with power of 250 watts.

710 Kilocycles

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Modification of construction permit (B3-P-3355 as modified) which authorized change in frequency, increase in power, installation of new transmitter, move transmitter and installation of directional antenna for night use for change in type of transmitter and change in type of frequency and phase monitors.

770 Kilocycles

WEW—The St. Louis University, St. Louis, Mo.—Special service authorization to operate unlimited time on **770 kc.,** using power of 1 KW.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758 as modified) which authorized increase in power, installation of new transmitter and directional antenna for day and night use for extension of completion date from 10-17-42 to 11-17-42.

1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—Modification of construction permit (B1-P-3445) which authorized increase in power, changes in equipment, and installation of directional antenna for night use for extension of commencement and completion dates from 5-10-42 and 11-10-42 to 11-10-42 and 180 days thereafter respectively.

1340 Kilocycles

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, co-partners d/b as Red Lands Broadcasting Assn., Lufkin, Texas.—Voluntary assignment of license to Darrel E. Yates.

1420 Kilocycles

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Modification of construction permit (B4-P-2288 as modified) which authorized change in frequency, increase in power, move transmitter, install new transmitter and directional antenna for day and night use for extension of completion date from 10-19-42 to 11-19-42.

FM APPLICATION

W49FW—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—License to cover construction permit (B4-PH-63 as modified) which authorized construction of new high frequency broadcast station, in part in accordance with Commission Action of 8-4-42.

MISCELLANEOUS APPLICATIONS

NEW—Voice of Christian Youth, Detroit, Mich.—Authority to transmit programs from Wesley Methodist Church, Detroit, Mich., to Canadian Station CKLW, Windsor, Canada.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Koret, Inc., 33 East 33rd St., New York, manufacturer and distributor of ladies' handbags and other articles, is charged in a complaint with misrepresentation. (4848)

National Inheritance Service, 26 O'Farrell St., San Francisco, and O. F. Blaker, 4642 York Road, Baltimore, are charged in a complaint with misrepresentation and the use of unfair and deceptive acts and practices in commerce within the meaning of the Federal Trade Commission Act. (4849)

Perfect Manufacturing Co., doing business as the So-Lo Works, 3317 Madison Road, Cincinnati, engaged in the manufacture and sale of an adhesive cement designated "So-Luminum," is charged in a complaint with misrepresentation. (4856)

B. C. Remedy Co., Durham, N. C., engaged in the manufacture and sale of a medicinal preparation designated "BC" and "BC Headache Powders," is charged in a complaint with false advertising and misrepresentation. (4851)

Stanback Company, Ltd., Salisbury, N. C., manufacturers and distributors of a medicinal preparation designated "Stanback Headache Powders" and "Stanback," is charged in a complaint with false advertising. (4855)

Ulrici Medicine Co., Inc., and Trans-Pac Services, Inc., located, respectively, at 233 West 14th St., New York and 4-20 47th Avenue, Long Island, N. Y., are charged in a complaint with misrepresentation. (4853)

World's Medicine Co., P. O. Box 291, Indianapolis, engaged in the sale and distribution of a medicinal preparation designated, "World's Tonic," is charged in a complaint with misrepresentation and false advertising. (4847)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

L. L. Edwards, Shelbyville, Tenn., dealer in nut products and candy to jobbers and retail dealers, has been ordered to cease and desist from the use of lottery methods in the sale and distribution of his products. (4797)

Grand Rapids Factory Show Rooms, Inc., Meyer Zisblatt and Sam Zisblatt, Paterson, N. J., engaged in selling and distributing household furniture, have been ordered to cease and desist from misrepresentation of their products. (4626)

Montgomery Ward & Co., Inc., Chicago, has been ordered to cease and desist from certain misrepresentations in the sale of cosmetics. (4728)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Columbia Manufacturing Co., 22 West 32nd St., New York, engaged in the sale and distribution of billfolds and other leather goods, has stipulated to cease and desist from use of the word "Manufacturing," or other word or words of like meaning as a part of their trade name, and from use of the words "Manufacturing," "Manufacturers," "We make" or other words of like meaning so as to convey the belief that they make or manufacture the products sold by them or that they actually own or operate or control a plant or factory in which the products are manufactured. (3544)

National Educational Board, Educational Information Bureau, Educational Information Association and Club Mailers, 236 West 55th St., New York, engaged in soliciting, obtaining and disseminating so-called mailing lists consisting of lists of names of high school graduates, has stipulated to cease and desist from use of the trade names "National Educational Board," "Educational Information Bureau," or "Educational Information Association" and from use of any statement or representation implying that his business is conducted by or under the supervision or control of any national or State educational board or bureau or by any board, bureau or association of schools or colleges and from representing by use of the phrase "Approved by the New York Board of Education" or any other statement or representation, that the business conducted by him has been approved or endorsed by the New York Board of Education or by any Federal, State, or other educational bureau or department. (3545)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 43, October 30, 1942

RETAIL PROMOTION CAMPAIGN LAUNCHED

After six months of preliminary but exhaustive research, the Retail Promotion Committee of the National Association of Broadcasters, of which Paul W. Morency of WTIC-Hartford, Conn., is chairman, has instituted an industry-wide campaign to finance the preparation of a study that will analyze the present-day and probable future problems of department stores, and other retail establishments, in relation to the opportunity that broadcasting offers to the amelioration of those problems.

Preliminary to the exploration of this problem by the broadcasters the assistance and cooperation of the Sales Promotion Division of the National Retail Dry Goods Association was enlisted. This organization made a nationwide survey of the use of radio by retailers and the results of their experience.

The research, analysis and presentation will be developed by Sheldon R. Coons, general business counsel of New York City, who was formerly vice president and merchandise manager of Gimbel Bros., Inc., and for ten years executive vice president of Lord & Thomas, with the assistance of outstanding leaders in the various fields that have a bearing on the subject. Mr. Coons, under the direction of the committee, has conducted the preliminary research and study since his retention as counsel early in July.

The proposed plan contemplates investigation of every factor which appears likely to influence retailing during the stresses and strains of this period of wartime priorities, rationing and restrictions.

The investigation will also include an analysis of some of the factors that are likely to influence the trend and character of retailing after the war is won.

The keynote of the various plans and clinics, conducted by the Office of Price Administration in conjunction with leading representatives of retailers, has been the urgent need to reduce the costs of retail distribution to enable retailers to survive under price ceilings. This thesis is the keynote of the presentation to be prepared by Mr. Coons. In many fields of distribution, broadcast advertising, well and wisely used, has enabled manufacturers and distributors to lower the costs of distribution. In pursuit of that goal, the presentation will include a complete and factual study of the use of broadcasting adver-

(Continued on page 618)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

RETAIL PROMOTION CAMPAIGN LAUNCHED

(Continued from page 617)

tising by various types of accounts, including recent case histories of its use in the field of retail distribution.

Among the subjects in this portion of the presentation are:

Where does radio fit into the retailers' problems?
What is the retailers' problem in the use of radio as revealed by the N.R.D.G.A. survey?
How should you buy radio time?
How should you measure a radio audience?
How can you insure your radio investment?
How do you set up a radio department in your store?
What can you expect from your radio station?

Preliminary discussions with leading retailers indicate that the answer to every single one of those questions is of vital interest right now to all retail advertisers. The plan proposed by the Retail Promotion Committee of NAB will seek the answers to all of these questions and endeavor to present the answers in an easily understood and fully authenticated fashion.

During the preliminary discussions and the preparation of the outline of the proposed plan, the Retail Promotion Committee of NAB has worked very closely with the Sales Promotion Division of the N.R.D.G.A. The final outline and purpose have received the unanimous and enthusiastic endorsement of the directors of that division of N.R.D.G.A.

In a letter today to all commercial radio stations in the United States, Chairman Morency pointed out that while the preliminary thinking and work on this plan has been conducted under the direction of NAB, participation in the plan is available to NAB member and non-member stations alike, as well as to Canadian broadcasters. Enclosed with the letter was a pledge blank and schedule of charges for participation, based on gross income of the individual stations during 1941.

During the series of NAB district meetings, which has just gotten under way, details of the proposed plan are being explained to station executives and sales managers by Lewis H. Avery, Director of the Department of Broadcast Advertising of NAB.

The details of the presentation will be perfected by Mr. Coons with the guidance of the committee when the necessary finances are assured. The campaign to secure funds will, in addition to the letters heretofore mentioned, be carried on at the District meetings. Indicative of the enthusiasm of the industry, the broadcasters of the Fourth and Fifth Districts have unanimously endorsed it and pledged their whole-hearted support.

The tentative plan of the committee as outlined by Mr. Coons contemplates a motion slide, transcribed and live talent packaged show with a trained master of ceremonies to handle the presentation. For the use of those communities and areas who do not desire outside talent there will be an adaptation that may be staged by local broadcasters without outside assistance. There will also be a desk presentation for the use of stations in dealing directly with retail establishments.

More than passing interest in the plan has been evidenced in retail circles. Not only has the Sales Promotion Division of NRDGA rendered helpful assistance in the preliminary planning, but it has pledged its cooperation to secure the attendance at the various presentations of the key personnel of department stores and other retail establishments.

With the united efforts of broadcasters throughout the nation and in the various communities and areas, it is confidently predicted that this Retail Promotion plan will contribute much to both retailers and radio stations. With the preliminary work behind it, Mr. Morency's committee is concentrating its efforts upon the financing phases of the project. A goal of $125,000 to $150,000 has been set to be raised in accordance with the following classification schedule:

Revenue Classification *	*Group Classification*	*Allocation Per Station*
Under $15,000	A	$25.00
15,000- 20,000	B	30.00
20,000- 25,000	C	35.00
25,000- 30,000	D	40.00
30,000- 35,000	E	45.00
35,000- 40,000	F	50.00
40,000- 45,000	G	55.00
45,000- 50,000	H	60.00
50,000- 55,000	I	70.00
55,000- 60,000	J	80.00
60,000- 65,000	K	90.00
65,000- 70,000	L	100.00
70,000- 80,000	M	125.00
80,000- 90,000	N	175.00
90,000- 99,000	O	250.00
100,000-200,000	P	500.00
200,000-500,000	Q	600.00
Over 500,000	R	750.00

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* Based on 1941 income, including network billings, but less frequency and agency discounts, if any.

Pledges only are being accepted at this time. No payments are being asked until a sufficient amount has been pledged to definitely assure the successful financing of the entire plan. Reports on the progress of the campaign will be given in NAB REPORTS each week.

Here is something that deserves the considered and favorable action of every broadcaster in the nation. In addition to promising radio a larger share of the retail advertising budgets, the success of this plan would bring in to radio many advertisers of nationally distributed merchandise in the clothing field which have not heretofore used radio. From this standpoint both large and small stations stand in a position to derive direct benefits. Every station manager is asked to carefully study this plan as outlined in the letter sent out by Chairman Morency and the committee on Friday, October 30.

In addition to Chairman Morency, the Retail Promotion Committee of NAB includes: John M. Outler, Jr., WSB; Dietrich Dirks, KTRI; William C. Gillespie, KTUL; Sherman D. Gregory, WEAF; Arthur H. Hayes, WABC; Walter Johnson, WTIC.

Salaries Stabilized

Salaries as well as wages in all establishments employing eight or more persons are now "stabilized."

The effective date of stabilization of salaries under $5000 was October 27. The effective date for salaries of $5000 or more was October 3.

No blanket or general salary increases are permissible without the approval of either the War Labor Board or the Commissioner of Internal Revenue (Treasury Department).

Individual increases without the approval of either the WLB or the Commissioner of Internal Revenue are permissible, however, when the increases are made as a result of:

(1) individual promotions or reclassifications,
(2) individual merit increases within established salary ranges,
(3) operation of an established plan of salary increases based on length of service,
(4) increased productivity under incentive plans, or
(5) "such other reasons or circumstances as may be prescribed in orders, rulings, or regulations, promulgated under the authority of these regulations."

The WLB is to handle salaries under $5,000 except those of bona fide executive, administrative and professional employees. These and salaries over $5,000 are to be handled by the Commissioner of Internal Revenue. It can be assumed that the Wage and Hour definitions of executive, administrative and professional will be applied.

We suggest it would be well worth your while to read carefully the text of the order, which follows:

TITLE 32—NATIONAL DEFENSE

Chapter XVIII—Office of Economic Stabilization

Subchapter A—Office of the Director of Economic Stabilization

Part 4001—Wages and Salaries

By virtue of the authority vested in the President by the Constitution and the laws of the United States, and particularly by the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public No. 729, 77th Congress, 2d Session), the following regulations are hereby promulgated.

Sec. 4001.1. *Definitions.*—When used in these regulations, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(a) The term "Act" means the Act of October 2, 1942, (Public No. 729, 77th Congress) entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes".
(b) The term "Board" means the National War Labor Board created by Executive Order No. 9017, dated January 12, 1942 (7 F. R. 237).
(c) The term "Commissioner" means the Commissioner of Internal Revenue.
(d) The term "Code" means the Internal Revenue Code, as amended and supplemented.
(e) The term "salary" or "salary payments" means all forms of direct or indirect compensation which is computed on a weekly, monthly, annual or other comparable basis, except a wage basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, loans, commissions, fees, and any other remuneration in any form or medium whatsoever (excluding insurance and pension benefits in a reasonable amount).
(f) The term "salary rate" means the rate or other basis at which the salary for any particular work or service is computed either under the terms of a contract or agreement or in conformity with an established custom or usage.
(g) The term "wages" or "wage payments" means all forms of direct or indirect compensation which is computed on an hourly or daily basis, a piece-work basis, or other comparable basis, for personal services of an employee irrespective of when rendered, including bonuses, additional compensation, gifts, commissions, loans, fees, and any other remuneration in any form or medium whatsoever (but excluding insurance and pension benefits in a reasonable amount).
(h) The term "insurance and pension benefits in a reasonable amount" means

> (1) contributions by an employer to an employees' trust or under an annuity plan which meets the requirements of section 165(a) of the Code, and
> (2) amounts paid by an employer on account of premiums on insurance on the life of the employee which amounts are deductible by the employer under section 23(a) of the Code, except that if such amounts are includible in the gross income of the employee under the Code, the amount in respect of each employee may not exceed five per cent of the employee's annual salary or wages determined without the inclusion of insurance and pension benefits.

(i) The terms "approval by the Board" and "determination by the Board" shall, except as may be otherwise provided in the regulations or orders of the Board, include an approval or determination by an agent of the Board duly authorized to perform such act; and such approval or determination, if subsequently modified or reversed by the Board, shall nevertheless for the purposes of these regulations, be deemed to have been continuously in effect from its original date until the first day of the payroll period immediately following the reversal or modification or until such later date as the Board may direct.
(j) The terms "approval by the Commissioner" and "determination by the Commissioner" shall, except as may be otherwise provided in regulations prescribed by the Commissioner, include an approval or determination by an agent of the Commissioner duly authorized to perform such act; and such approval or determination, if subsequently modified or reversed by the Commissioner, shall nevertheless for the purpose of these regulations, be deemed to have been continuously in effect from its original date until the first day of the payroll period immediately following reversal or modification or until such later date as the Commissioner may direct.

Sect. 4001.2. *Authority of National War Labor Board*—The Board shall, subject to the provisions of sections 1, 2, 3, 4, 8, and 9 of Title II of Executive Order No. 9250, of October 3, 1942, have authority to determine whether any—

(a) Wage payments, or
(b) Salary payments to an employee totaling in amount not in excess of $5,000 per annum where such employee

> (1) in his relations with his employer is represented by a duly recognized or certified labor organization, or
> (2) is not employed in a bona fide executive, administrative or professional capacity

are made in contravention of the Act, or any rulings, orders or regulations promulgated thereunder. Any such determination by the Board, made under rulings and order issued by it, that a payment is in contravention of the Act, or any rulings, orders, or regulations promulgated thereunder, shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Board made pursuant to the authority conferred on it shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings.

Sec. 4001.3. *Rules, Orders and Regulations of Board*—The Board may make such rulings and issue such orders or regulations as it deems necessary to enforce and otherwise carry out the provisions of these regulations.

Sec. 4001.4. *Authority of the Commissioner of Internal Revenue*—The Commissioner shall have authority to determine, under regulations to be prescribed by him with the approval of the Secretary of the Treasury, whether any salary payments other than those specified in paragraph (b) of section 4001.2 of these regulations are made in contravention of the Act, or any regulations or rulings promulgated thereunder. Any such determination by the Commissioner, made under such regulations, that a payment is in contravention of the Act, or any rulings or regulations promulgated thereunder, shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulations, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Commissioner made pursuant to the authority conferred on him shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings. No increase in a salary rate approved by the Commissioner shall result in any substantial increase of the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

Sec. 4001.5. *Rules and Regulations of Commissioner*—The Commissioner may prescribe such regulations with the approval of the Secretary of the Treasury, and make such rulings as he deems necessary, to enforce and otherwise carry out the provisions of these regulations.

Sec. 4001.6. *Salary Increases*—In the case of a salary rate of $5,000 or less per annum existing on the date of the approval of these regulations by the President and in the case of a salary rate of more than $5,000 per annum existing on October 3, 1942, no increase shall be made by the employer except as provided in regulations, rulings, or orders promulgated under the authority of these regulations. Except as herein provided, any increase made after such respective dates shall be considered in contravention of the Act and the regulations, rulings, or orders promulgated thereunder from the date of the payment if such increase is made prior to the approval of the Board or the Commissioner, as the case may be.

In the case, however, of an increase made in accordance with the terms of a salary agreement or salary rate schedule and as a result of

(a) individual promotions or reclassifications,
(b) individual merit increases within established salary rate ranges,
(c) operation of an established plan of salary increases based on length of service,
(d) increased productivity under incentive plans,
(e) operation of a trainee system, or
(f) such other reasons or circumstances as may be prescribed in orders, rulings, or regulations, promulgated under the authority of these regulations,

no prior approval of the Board or the Commissioner is required. No such increase shall result in any substantial increase of the level of costs or shall furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

Sec. 4001.7. *Decreases in salaries of less than $5,000.*—In the case of a salary rate existing as of the close of October 3, 1942, under which an employee is paid a salary of less than $5,000 per annum for any particular work, no decrease shall be made by the employer below the highest salary rate paid for such work between January 1, 1942, and September 15, 1942, unless to correct gross inequities or to aid in the effective prosecution of the war. Any decrease in such salary rate after October 3, 1942, shall be considered in contravention of the Act and the regulations, rulings, or orders promulgated thereunder if such decrease is made prior to the approval of the Board or the Commissioner, as the case may be.

Sec. 4001.8. *Decreases in salaries of over $5,000.*—In the case of a salary rate existing as of the close of October 3, 1942, under which an employee is paid a salary of $5,000 or more per annum, no decrease in such rate made by the employer shall be considered in contravention of the Act and the regulations promulgated thereunder (see section 5 (b) of the Act); provided, however, that if by virtue of such decrease the new salary paid to the employee is less than $5,000 per annum, then the validity of such decrease below $5,000 shall be determined under the provisions of section 4001.7 of these regulations.

Sec. 4001.9. *Limitation on Certain Salaries.*—(a) No amount of salary (exclusive of any amounts allowable under paragraphs (b) and (c) of this section) shall be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year which, after reduction by the Federal income taxes on the amount of such salary, would exceed $25,000. The amount of such Federal income taxes shall be determined (1) by applying to the total amount of salary (exclusive of any amounts allowable under paragraphs (b) and (c) of this section) paid or accrued during the taxable year, undiminished by any deductions, the rates of taxes imposed by Chapter 1 of the Code (not including section 466) as if such amount of salary were the net income (after the allowance of credits applicable thereto), the surtax net income, and the Victory tax net income, respectively, and (2) without allowance of any credits against any of such taxes.

(b) In any case in which an employee establishes that his income from all sources is insufficient to meet payments customarily made to charitable, educational or other organizations described in section 23 (o) of the Code, without resulting in undue hardship, then an additional amount sufficient to meet such payments may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year even though it exceeds the amount otherwise computed under paragraph (a).

(c) In any case in which an employee establishes that, after resorting to his income from all sources, he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet payments for the following:

(1) Required payments (excluding accelerated payments) by the employee during the taxable year on any life insurance policies on his life which were in force on October 3, 1942,
(2) Required payments (excluding accelerated payments) made by the employee during the taxable year on any fixed obligations for which he was obligated on October 3, 1942,
(3) Federal income taxes of the employee for prior taxable years which are paid during the taxable year, not including Federal income taxes on the allowance under paragraph (a) for any prior year, an additional amount sufficient to meet such payments may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the taxable year, even though it exceeds the amount otherwise computed under paragraph (a).

(d) In the case of an individual who is an employee of more than one person, the aggregate of the salaries received by such individual shall, under such circumstances as may be set forth in regulations promulgated under the authority of these regulations, be treated as if paid by a single employer.

(e) No amount of salary shall be paid or authorized to be paid to or accrued to the account of any employee or received by him after the date of approval of these regulations by the President and before January 1, 1943, if the total salary paid, authorized, accrued or received for the calendar year 1942 exceeds the amount of salary which would otherwise be allowable under paragraph (a) of this section and also exceeds the total salary paid, authorized, accrued or received for the calendar year 1941.

(f) Except as provided in paragraph (e) of this section, the provisions of this section shall be applicable to salary paid or accrued after December 31, 1942, regardless of when authorized and regardless of any contract or agreement made before or after such date.

Sec. 4001.10. *Effect of unlawful payments.*—(a) If any wage or salary payment is made in contravention of the Act or the regulations, rulings or orders promulgated thereunder, as determined by the Board or the Commissioner, as the case may be, the entire amount of such payment shall be disregarded by the Executive Departments and all other agencies of the Government in determining the costs or expenses of any employer for the purpose of any law or regulation, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses of any contract made by or on behalf of the United States. The term "law or regulations" as used herein includes any law or regulation hereafter enacted or promulgated. In the case of wages or salaries decreased in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the amount of the wage or salary paid or accrued. In the case of wages or salaries increased in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the amount of the wage or salary paid or accrued and not merely an amount representing an increase in such wage or salary. In the case of a salary in excess of the amount allowable under section 4001.9 of these regulations which is paid or accrued to an employee during his taxable year in contravention of the Act or regulations, rulings or orders promulgated thereunder, the amount to be disregarded is the full amount of such salary and not merely the amount representing the excess over the amount allowable under such section 4001.9.

(b) Payments made or received in violation of any regulations, rulings or orders promulgated under the authority of the Act are subject to the penal provisions of the Act.

Sec. 4001.11. *Exempt employers.*—The provisions of sections 4001.6, 4001.7 and 4001.8 of these regulations shall apply only in the case of an employer who employs more than eight individuals.

Sec. 4001.12. *Salary Allowances under Internal Revenue Code.*—No provision of these regulations shall preclude the Commissioner from disallowing as a deduction in computing Federal income tax any compensation paid by an employer (regardless of the number of employees and of the amount paid to any employee) in excess of a "reasonable allowance" in accordance with the provisions of section 23 (a) of the Code.

Sec. 4001.13. *Statutory Salaries and Wages.*—These regulations shall be applicable to any salary or wages paid by the United States, any State, Territory or possession, or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing, except where the amount of such salary or wages is fixed by statute.

Sec. 4001.14. *Territories and Possessions.*—The Board and the Commissioner shall have the authority to exempt from the operation of these regulations any wages or salaries paid in any Territory or possession of the United States where deemed necessary for the effective administration of the Act and these regulations.

Sec. 4001.15. *Regulations of Economic Stabilization Director.*—The Director shall have authority to issue such regulations as he deems necessary to amend or modify these regulations.

Sec. 4001.16. *Effect of Executive Order No. 9250.*—To the extent that the provisions of Executive Order No. 9250, dated October 3, 1942 (7 F. R. 7871) are inconsistent with these regulations, such provisions are hereby superseded.

James F. Byrnes,
Economic Stabilization Director.

Approved:
Franklin D. Roosevelt,
The White House.
October 27, 1942.

PLEASE ANSWER PROMPTLY

Under date of October 22, the FCC sent out that section of its 1942 financial questionnaire dealing with employees and compensation.

This information when compiled will be invaluable to any station wishing to make any general salary adjustments.

The NAB joins the FCC in urging prompt returns. It is to the advantage of every station to do so.

COST OF LIVING

The U. S. Labor Department reports that the cost of living increased 0.3 per cent from August 15 to September 15, and on the latter date was 20 per cent higher than it was in August, 1939.

WAGE-HOUR INSPECTIONS

The Wage and Hour Division has announced that hereafter it will confine its inspections to the period since October 24, 1940. Violations prior to that time will no longer be checked, but there is nothing in the Division's announcement to preclude employees from bringing suit against their employers for violations before October 24, 1940.

CLARK BILL

Senator Clark (D.-Idaho) on October 23 introduced the following bill (S. 2874) to remove the AF of M recording ban:

To prohibit certain contracts, agreements, conspiracies, and combinations which prevent the making of recordations for use by radio broadcasting stations and coin-operated phonographs.

Whereas radio broadcasting is an essential public service and is strongly affected with the national public interest; and

Whereas radio broadcasting is of great importance to the successful prosecution of the war; and

Whereas the use of recorded music by radio stations is essential to the optimum utilization of radio facilities; and

Whereas the cessation of the manufacture of phonograph records and electrical transcriptions would threaten to eliminate the source of newly recorded music: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any provision in the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, to the contrary notwithstanding, it shall be unlawful for any person or any group or organization of persons, or the officers, representatives, or members thereof, to make any contract or agreement, or to engage in any combination or conspiracy, to refuse to make or manufacture or refuse to engage in the making or manufacture of phonograph records, electrical transcriptions, or other forms of recordation, if a purpose or effect of the contract, agreement, conspiracy, or combination is to limit or curtail the supply or use of phonograph records, electrical transcriptions, or other form of recordation by radio-broadcasting stations or coin-operated phonographs: *Provided*, That no such contract, agreement, conspiracy, or combination shall be considered unlawful if it is based on a dispute concerning compensation, hours, health, safety, or conditions of employment.

SEC. 2. Any violation of the provisions of this Act shall be punishable by a fine not exceeding $5,000 or by imprisonment for not more than one year, or both.

SEC. 3. This Act shall remain in force during the continuance of the present war and for six months after termination of the war, or until such earlier time as the Congress by concurrent resolution or the President may designate.

War Problems

MANPOWER

An official of Selective Service National Headquarters, testifying before the Senate Military Affairs Committee early this week, stated the manpower problems of the nation can be expected to become critical in January or February of 1943.

As the manpower situation becomes more acute it is believed that broadcasters, along with other industries, will broaden the employment opportunities for women.

Partial tabulation of the early replies to the NAB Manpower Survey indicate an increase in the employment of women technicians and operators of more than 1200%, during the period covered by the survey. This trend clearly indicates the importance of proper selection and training of women for these and other positions in broadcast stations.

An article entitled "Do You Understand Women?" appearing in the September 1942 issue of RADIO RETAILING TODAY contains many helpful suggestions and is reprinted with the publisher's permission.

"Day by day, more and more men are giving up their peacetime pursuits to 'join the colors' and take an active part in fighting to preserve our way of life.

Yet business and industry, must go on. It must go on to provide the civil population with the necessities of life and of living.

Men must do our fighting on the battle fronts, and women must do their full share in business, in production and in taking a man's job on the home front.

Women are taking the places of more fighting men in the Army. The WAACs will make a real contribution to Army administration. The WAVES are soon to take their places in the shore establishment of the Navy.

Women are taking the places of men in industry, in manufacturing everything from zippers to airplanes, and doing a fine job.

Women have made more radio tubes and radio sets than men ever will.

Many business men still harbor some prejudices against women in some jobs, but these are fast disappearing in the light of their performance. Light work, hard work, hand work, head work, machine work, office work, all now are women's work.

Certainly, you have to train them, thoroughly and carefully. But first you have to *select* them.

Natural Aptitudes

Most women have a high degree of hand dexterity, and fine coordination of hand and eye. But some are clumsy and awkward. Most women have infinite patience, and excel at detail and repetitive work.

But many do not.

You'll run into just as much trouble putting the wrong woman on a job as you would in putting the wrong man on the same job.

Because most women have not had the experience, you must be prepared to train them to bring out the full advantage of their natural aptitudes.

In the selection of personnel there is no good reason why sex should be any more important a factor than nationality, or religion, given equal education and intelligence.

Seek Necessary Qualifications

Bear in mind when selecting women to replace men, that "beauty" is the poorest of all measures of ability. Very often, you will find, that "beauty and brains" are like "oil and water." Neatness is highly desirable in any employee.

Women must be selected for their job as workers, not as women and they must be trained, disciplined and supervised on the same basis.

It's true, of course, that the female psychology is somewhat different from that of the male. And so the methods of discipline and supervision must be adjusted accordingly.

Women should be tested and fitted to their jobs by the same standards as men.

That is, the same qualities are necessary to fit a woman for a particular job as for a man. You may find that quality more frequently in women than in men. But they may not always be present. So you must *look* for them.

Careful Supervision

Women in business expect to be treated like the workers and humans they are, with respect and impersonally. Preferences to some are quickly resented by others and in a way which can quickly cause trouble and confusion. Rules, regulations, privileges must be uniform.

Most women do not have as high a sense of safety as do men; they shortcut the safety rules, have more minor accidents, fewer really serious ones, than do men.

Thus they create the necessity for more constant and careful supervision on machine or productive work. And this supervision presents a different problem where women are involved.

They are more sensitive, more nervous than men. Sharp criticism for an error may produce hysterics which lasts for 10 minutes, "nerves" which lasts for 10 days and resentment which lasts for 10 weeks. A woman is always to be preferred to a man, as a supervisor of women.

More women are working today than ever before, and their number is fast increasing. Women have tackled every job within their physical ability, and their records of performance are outstanding, in every line of endeavor.

Getting Results

These records are uniformly better in the larger organizations than in the smaller ones. This is true because in the larger organizations women are more carefully selected, their individual abilities more accurately measured, their assignment to jobs more scientifically done, their training more thoroughly given.

And this boils down to the fact that in most jobs, the factors of intelligence, education, training, are far more important than sex in fitting a worker to a job.

Not Permanent Prospects

But women are women—for all that, and differ from men in viewpoint, and in emotional equilibrium. These factors must always be kept in mind.

Business, or industry to most women is a temporary thing. For nature has endowed women with the maternal instinct, which must look upon home, and mate, and family, as the permanent state to which they aspire. There are some exceptions, of course.

And so, in employing women, do not make the mistake of placing too much dependence upon any one, so far as certainty of continuity of service is concerned.

The Fundamentals

A woman seldom ceases looking for "her man." And this factor must be watched in business, for it can cause waste and inefficiency when "boy meets girl" in the same business, to a degree that is surprising.

To expect the impossible from women is foolish. But women have "made good" in every job they've tackled, and they will make good in yours, too, if you try them, under fair conditions and handle them with intelligence and understanding."

VACUUM TUBES

The American Radio Relay League is cooperating with the NAB Engineering Department in an effort to secure transmitting tubes from amateurs for broadcast station use. Every tube secured will in turn release a new tube for military use.

It is probable tubes of certain types which have been difficult to obtain from manufacturers will be made available in considerable quantities.

The plan will become effective upon the publication of the December issue of QST, official organ of the League. Thus amateur radio will make another worthwhile contribution to the war effort.

BWC CONSERVATION PLAN

The FCC is expected to take early action on BWC's equipment conservation plan. Details of the plan are not available. However, the BWC chairman, James Lawrence Fly, made the following statement at his press conference:

"I think I ought to stress again that whatever is done, there will not result any lessening of the coverage or radio stations due to change in the various rules in the operation of the equipment. We will have the same effective output and same coverage we have had heretofore. You see, some of the rules which we have had regulating the equipment have necessarily been very strict, and we have got to a point now where, by changing those rules and by the consequent change in method of operation, we can get more effective output, so I think we can increase the life of the equipment materially without affecting coverage at all."

PRIORITY FOR URGENT TOLL CALLS

Effective November 1, 1942, certain urgent telephone toll calls may be assigned priority by broadcasters originating the calls.

The nature of the communication and the need for prompt contact determines the priority applicable as set forth in Order Number 20, of the Board of War Communications.

An informant at BWC stated broadcast stations are considered "Preferred Callers" under section 2 of the order reading "essential services such as communications," etc.

The order is self-explanatory and should be carefully studied. Telephone companies will provide authorized subscribers with detailed instructions covering the procedure to follow in placing priority calls.

The order reads as follows:

WHEREAS, The Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain telephone toll calls relating to the war effort or public safety be given preferred handling;

NOW, THEREFORE, By virtue of the authority vested in the Board by Executive Order No. 8964 of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by virtue of the authority vested in the Board by Executive Order No. 9089 of March 6, 1942, prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications;

IT IS HEREBY ORDERED AS FOLLOWS:

1. *Priorities*

On and after November 1, 1942, urgent toll calls placed with commercial telephone systems by the authorized persons or agencies designated in Paragraph 2 shall upon request be given priority over all other toll calls in accordance with the provisions of, and in the order set forth in subparagraph (a), (b) and (c) below:

(a) Priority 1 shall be given to calls which require *immediate* completion for war purposes or to safeguard life or property *and* which relate to one or more of the following matters:

(1) Arrangements for moving armed forces during combat operations.
(2) Extremely urgent orders to armed forces.
(3) Immediate dangers due to the presence of the enemy.
(4) Hurricane, flood, earthquake or other disaster materially affecting the war effort or public security.

Where necessary for the immediate completion of a call having Priority 1, any conversation in process (other than one having Priority 1) may be interrupted.

(b) Priority 2 shall be given to calls which require *immediate* completion for the national defense and security, the successful conduct of the war, or to safeguard life or property other than those specifically described in Paragraph 1(a).

(c) Priority 3 shall be given to calls which require *prompt* completion for the national defense and security, the successful conduct of the war, or to safeguard life or property and which involve matters of the following type:

(1) Important governmental functions.
(2) Machinery, tools or raw materials for war plants.
(3) Production of essential supplies.
(4) Maintenance of essential public services.
(5) Supply or movement of food.
(6) Civilian defense or public health safety.

2. *Preferred Callers*

The following persons and agencies are designated as authorized persons or agencies entitled to use telephone toll priorities where such call is required in the manner and for a purpose specified above.

The President of the United States, the Vice President, Cabinet officers, Members of Congress, Army, Navy, Aircraft Warning Service, Federal, State and Municipal Government Departments and Agencies, Embassies, Legations, and Commissions of the United Nations, Civilian Defense Organizations, Red Cross, State and Home Guards, essential war industries, essential services such as communications, transportation, power, water, fuel, press associations, newspapers, and health and sanitation services.

3. *Records*

A record shall be kept by all telephone carriers of all priority calls, which record shall include the priority given and whether a conversation in process was interrupted. Such record shall be kept by the telephone carrier for two years after the date of the call.

4. *Reports*

Within thirty days after the end of each calendar month, the American Telephone and Telegraph Company shall file with the Board a report for the Bell System Companies showing:

(a) the number of calls during the preceding calendar month given Priority 1, 2, and 3, and the number of calls given Priority 1 for which other calls were interrupted;

(b) periods of time required for completion of each class of priority calls.

5. *Violations*

The telephone facilities of any subscriber who wilfully obtains or attempts to obtain priority for a toll call by fraudulently designating such call as a priority call or by furnishing false information to any telephone carriers for the purpose of obtaining a priority, shall be subject to closure, removal or other appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

SUPPLEMENTARY GAS RATIONS

Applicants for additional rations of gasoline are urged to arm themselves with the necessary facts about their driving requirements before asking their Local Rationing Boards for supplemental cards.

Not only must the applicant sign his statement of fact, but, if he is an employee and the supplemental ration is needed to carry on his work he must also present the affidavit or affirmation of his employer, or an authorized representative of his employer.

Under the gasoline rationing regulations, the board is authorized to grant supplemental rations only if it finds that they are "essential to life or to the pursuit of a gainful occupation and that no reasonably adequate alternative means of transportation are available". The board in granting a supplemental ration will issue a B card "tailored" to provide for the amount of the ration.

The applicant must state why his present ration is insufficient. He must support this reason with facts. Next, the applicant must state what means of public transportation are available to him.

Other questions ask the applicant to state what vehicles owned by members of his family, or by friends or business associates are available to his use, and to specify what effort has been made to "double-up" with other car owners.

Generally speaking workers in the broadcasting industry should experience no difficulty in getting B cards entitling them to gasoline for occupational driving based on their requirements up to 470 miles a month, including the gas provided under the A card.

Under Section 1394.506 (k) (2) of the Gasoline Rationing Regulations, workers in the radio broadcasting industry including executives, technicians or office workers, but not including salesmen, are eligible to apply for preferred mileage (C cards). Again, they must show the need and that no reasonably adequate alternative means of transportation are available.

SELECTIVE SERVICE

Stations desiring further deferments on men classified II-A or II-B should renew deferment requests on such registrants one month before the present deferment period elapses. Otherwise the registrant will be classified I-A and no notice will be sent to the station.

TEN PER CENT WAR BOND CAMPAIGN

The Treasury Department announces an intensive campaign to be gotten under way November 15 and to continue to January 1, to secure universal 10 per cent pay roll participation in bond purchases by salaried personnel in all branches of industry.

Under the slogan, "Top that 10% By New Years!" the campaign will be conducted on a broad front. The cooperation of radio stations is earnestly solicited by Secretary Morgenthau. While he expressed his deep and personal gratification for the splendid manner in which broadcasters have already contributed to the success of the war bond campaign, Secretary Morgenthau has urged voluntary 10 per cent payroll plans in each radio station and a campaign on the part of the stations to encourage every type and kind of commercial enterprise and industry to do likewise. This campaign is consistent with the resolution adopted by the NAB Board of Directors at its September meeting. The resolution follows:

WHEREAS, the successful prosecution of the war depends upon adequate financing, and

WHEREAS, the Treasury Department is seeking through the sale of war bonds to secure revenue to the extent of $12,000,000,000 annually from the people of the United States, and

WHEREAS, the investment in war bonds accomplishes the two-fold result of helping to finance the war and to curb inflation,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the National Association of Broadcasters that we heartily recommend to the broadcasting industry the continued whole-hearted support of this war bond campaign and further recommend to station managements the desirability of immediately inaugurating among their own station personnel a campaign to secure the voluntary purchase of bonds to the extent of ten per cent of the annual salary of each employee.

MAIL CIRCULATION SPOTS

Six suggested announcements to explain to listeners the necessity for taking their radios to the serviceman instead of asking him to call were mailed to all stations this week. One announcement per day on all stations, on a rotating time schedule, was suggested until further notice.

District Meetings

DISTRICT 4

District Director G. Richard Sharto, WIS, called the opening session of the two-day meeting of the Fourth District of NAB to order in the Carolina Hotel in Pinehurst, N. C., with 81 broadcasters, government and industry representatives present. The meeting was held on Friday and Saturday, October 23-24, 1942.

At a dinner for the broadcasters and their guests on the evening of the first day, Governor J. Mellville Broughton of North Carolina paid a tribute to the achievements of broadcasting, emphasized the responsibilities of the medium in the united war effort and spoke glowingly of the future of radio after the war. He pointed out that North Carolina refused to ratify the original constitution until the first ten amendments—the so-called "Bill of Rights"—had been prepared and added. He credited this renowned "Bill of Rights" as the legal basis for the development of a free American system of broadcasting.

The Retail Promotion Committee Plan was presented on Saturday morning and unanimously endorsed by formal resolution of the Fourth District.

A resolution heartily approving the policy and activity of the NAB in its efforts to remove the "unfair, undemocratic and un-American Petrillo ban on recorded music" was unanimously approved. NAB was urged to continue an all-out effort to bring about a satisfactory solution of the music problem.

Representatives of many of the principal government war agencies were on the program. Carl Haverlin, Headquarters Consultant for Industry Relations OWI; Eugene Carr, Assistant to the Radio Censor, Office of Censorship; Frank McIntosh, Chief, Radio and Radar Section, WPB; Marvin Beers of OCD; M. A. Milman, of the Radio and Press Section of the Treasury Department, each discussed problems of mutual concern to their agencies and broadcasters:

Those in attendance were: Philip P. Allen, WLVA; Campbell Arnoux, WTAR; L. H. Avery, NAB; Bryce P. Beard, WSTP; Marvin Beers, OCD; William C. Bourne, OWI; William Bowry, WMBG; Robert E. Bradham, WTMA; Harry G. Bright, WGBR; Walter Brown, WSPA; Ollie L. Carpenter, WPTF; Eugene Carr, Office of Censorship; Madeline Chase, OCD; Howard L. Chernoff, WCHS-WPAR-WSAZ-WBLK; Mrs. Gertrude Clinton, U. S. Employment Service; Charles H. Crutchfield, WBT; Roland D. Cuddy, WBTM; Major Richard E. Daley; Clay B. Daniel, WSJS; B. H. Darrow, OCD; John H. Dodge, WRC; Don S. Elias, WWNC; Mrs. Don S. Elias, WWNC; Harold Essex, WSJS; Jack Field, WPTF; Fred Fletcher, WRAL; Elmer D. Free, OCD; R. Sanford Guyer, WBTM; Milton N. Gwaltney, WPID; Ralph S. Hatcher, WTAR; Carl Haverlin, OWI-BMI; Harold Hayes, OWI; Sheldon B. Hickox, Jr., NBC; Charles G. Hicks, WSOC; Francis M. Hipp, WIS; Ruffin Horne, WFNC; Mrs. C. C. Hudson, WBIG; Nancy Hudson, WBIG; B. Walter Huffington, WPID; Henry Hulick, WPTF; E. Z. Jones, WBBB; Ray P. Jordan, WDBJ; A. E. Joscelyn, WBT.

Herbert Kendrick, WJLS; Stanton Kettler, WMMN; John W. Kirkpatrick, WSPA; Lt. George Kirksey; C. O. Langlois, Lang-Worth; Capt. Gleason B. Lee, Manpower Branch, Service and Supply; George Ludlam, OCD; Richard H. Mason, WPTF; Ezra McIntosh, WWNC; Neville Miller, NAB; M. A. Milman, U. S. Treasury Department; R. E. Mitchell, WMBG; James H. Moore, WSLS; Paul Moyle, WFNC; John W. New, WTAR; Charles Parker, OCD; F. F. Patterson, WSTP; Royal E. Penny, WBT; I. E. Pittle, ASCAP; Graham B. Poyner, WPTF; Ray Reeve, WRAL; Edney Ridge, WBIG; J. D. Saumenig, WIS; William A. Schudt, Jr., CBS; G. Richard Shafto, WIS; Mrs. G. Richard Shafto, WIS; Alex Sherwood, Standard Radio; Carleton Smith, WRC; George W. Smith, WWVA; John E. Thayer, WWNC; Harold H. Thoms, WAYS; Jack Treacy, NBC; George W. Walker, WAIR; Roland Weeks, WCSC; Jacob F. Weintz, Tide Magazine; A. D. Willard, WJSV; and T. Doug Youngblood, WFIG.

DISTRICT 5 (FLORIDA)

The two-day meeting of the Florida section of the Fifth District of NAB was held on Sunday and Monday, October 25-26, 1942, at the George Washington Hotel in Jacksonville, Florida. District Director Frank M. King, WMBR, presided. Forty representatives of the Florida stations and a number of government department representatives attended.

The report of the war work of NAB was made by C. E. Arney, Jr., who replaced President Neville Miller, when the latter was called back to Washington for an important conference with government officials.

A formal resolution endorsing the Retail Promotion Committee plan was unanimously adopted.

A resolution heartly approving the policy and activity of the NAB in their efforts to remove the Petrillo ban on recorded music was likewise unanimously approved. NAB was urged to continue its all-out effort to bring about a proper solution of the recorded music problem.

Representatives of many of the principal government war agencies were on the program. Carl Haverlin, Headquarters Consultant for Industry Relations OWI; Eugene Carr, Assistant to the Radio Censor, Office of Censorship; Frank McIntosh, Chief, Radio and Radar Section, WPB; Marvin Beers of OCD; M. A. Milman, of the Radio and Press Section of the Treasury Department; each outlined problems of mutual concern to their agencies and broadcasters.

Those in attendance were:

J. H. Keachie and Stanley W. Goulden, RCA; W. Walter Tison, WFLA; Arthur H. Beckwith, AMP; Marvin Cox, OWI; Willett Kempton, OWI; Francis Wagner, NAS; Fred H. Ford, WWPG; Alex Campbell, Jr., WKAT; L. S. Mitchell, WDAE; Andrew W. Bennett; Bey Welling, WTOC; Harry E. Cummings, WJAX; Arch Robb, WIOD; J. Leonard Reinsch, WSB-WIOD; William N. Greer, WFTL; Tom Gilchrist, WTMC; Gilbert Freeman, WTAL; John B. Browning, WSPB; W. C. McBride, WDBO; K. S. Skelton, WDAE; Frank Taylor, Jr., WPDQ; Glenn Marshall, Jr., WMBR-WFOY; Charles Stone, WMBR; Tom Case, WSAV; Mark Johnson, WSAV; Robert R. Feagin, WPDQ; Lewis H. Avery, NAB; Charles S. Davis, WWPG; Morton A. Milman, U. S. Treasury Department; Jack Treacy, NBC Recording; C. E. Arney, Jr., NAB; Thad Holt, WAPI; Carl Haverlin, OWI-BMI; Frank King, WMBR; C. O. Langlois, Lang-Worth; Mrs. Boote, WJAX; John Hopkins, III, WJAX; Mr. Jameson, Manpower Commission; and William Bennett, OWI.

DISTRICT 5 (GEORGIA AND ALABAMA)

A two-day meeting of the Georgia-Alabama section of the Fifth NAB District opened at Atlanta on Wednesday. District Director Frank M. King, WMBR, presided. Sixty-five broadcasters, government and industry representatives registered for the sessions.

NAB President Neville Miller described the war activities of NAB. He was followed by representatives of several government departments and war agencies charged with the various phases of the war effort. These representatives reviewed the relations of their activities with problems of broadcasting.

President Miller reported in detail on the policy and activity of the Association with respect to the AFM-Petrillo matter. Following this presentation the broadcasters voted unanimous approval of the NAB stand.

The session is continuing today (Thursday) with the sales managers session, presided over by John M. Outler, Jr., WSB, Fifth District sales managers chairman and also Chairman of the NAB Sales Managers Executive Committee. Lewis H. Avery, NAB Director of Broadcast Advertising, will present a report of the many activities of his department in behalf of more and better radio advertising. He will also outline the Retail Promotion Committee's plan, mentioned elsewhere in this issue of the REPORTS.

Following is the attendance at the Atlanta meeting:

Frank M. King, WMBR; James W. Woodruff, Jr., WATL-WRBL-WGPC; Thad Holt, WAPI; Ed Norton, WAPI; Leonard Reinsch, John M. Outler, Jr., Lorin Myers, Mary Caldwell, Alwilda Lindsy, Marcus Bartlett, Beth Barnes, Charles McClure and Add Penfield, WSB; Don Ioset, T. O. McCullough, Maurice Coleman, Joe Robkin, Crenshaw Monner and Ford Stoner, WAGA; Zenas Sears, WATL; J. A. Davenport, Dan Hornsby and Bill Jones, WATL; John Fulton and Frank Gaither, WGST; R. O. Van Duzer, WALB; E. K. Cargill and Wilton Cobb, WMAZ; Charles Pittman, WBML; Alfred Lowe, WBML; John Hogan, WBML; W. R. Ringston, WRDW; J. B. Fugua, WGAC; Charles Smithgall, Jr., WGGA; W. S. Massie, WRBL; Bill Covington, and Jack Hughes, WCOV; Henry P. Johnson, WSGN; John Connolly and K. G. Marshall, WBRC; Harbin Daniel, WSAV; Weldon Herrin, WTOC; Henry East, WGPC; Hugh M. Smith, WAML; H. Wimpy, WPAX; B. M. Adams, NBC; S. W. Goulden and J. H. Keachie, RCA; Neville Miller and Lew Avery, NAB; I. T. Cohen, ASCAP; and Jack Treacy, NBC-Recording.

Lorin L. Watson, Spot Sales Inc.; C. O. Langlois, Lang-Worth; Gregg Murphy, Headley-Reed Co.; Fred Bell, Katz Agency; Charlie Coleman, Katz Agency; Lt. Harold A. Tyler, Corp. Andrew C. Petty and J. E. Pool, Army Public Relations; Willett Kempton, Regional OWI; Irving Beiman, OWI Alabama; Eugene Carr, Office of Censorship; Madelinn Chase, Regional Director OCD-Radio; A. H. Beckwith, Associated Music Publishers, Inc.

DISTRICTS 6, 12, 13 MEET

Immediately ahead of President Miller, Lew Avery and the others who are going along on the District Meeting tour are the 6th District meeting at Nashville, Friday and Saturday, October 30-31, the 12th District meeting at

Tulsa, Monday and Tuesday, November 2-3, and the 13th District meeting at Dallas on Wednesday and Thursday, November 4-5. District Directors Wooten (6), Way (12) and Tips (13) have invited all stations to be well represented.

A large attendance is anticipated at these meetings, as at those which have been already held. From Dallas the traveling party will proceed to Ogden, Utah, for the 14th District meeting, and thence on to the Pacific Coast for three meetings in that area. Complete announcements will be given in future issues of the "Reports."

PEABODY AWARDS

Five new appointments to the Advisory Board for the George Foster Peabody Radio Awards are announced by Dr. S. V. Sanford, Chancellor of the University System of Georgia and ex-officio member of the Board, as follows:

Dr. Ralph Casey, Director, School of Journalism, University of Minnesota; Joseph Henry Jackson, Literary Editor, San Francisco (Cal.) Chronicle; Mrs. Beatrice Sawyer Rossell, Director of Educational Service, The Quarrie Corporation, Chicago, Illinois; Dr. I. Keith Tyler, Director of Evaluation of School Broadcasts, Ohio State University, Columbus, Ohio; and Earl J. Glade, Chairman, NAB Code Compliance Committee, Salt Lake City.

The Peabody Radio Awards, comparable to the Pulitzer prizes in journalism, are administered jointly by the Henry W. Grady School of Journalism, The University of Georgia, and the National Association of Broadcasters. The Advisory Board, created by the regents of the University System of Georgia, is a self-perpetuating group which makes final selections for the Peabody Awards after receiving a preliminary report from a faculty committee picked by the Grady School.

Other members of the Board, whose terms continue for a year or more are: Bruce Barton, President, Batten, Barton, Durstine, and Osborne, Advertising, New York City; John H. Benson, President, American Association of Advertising Agencies, New York City; Jonathan Daniels, Editor, Raleigh (N. C.) News and Observer; Mark Ethridge, Vice President and General Manager, Louisville (Ky.) Courier-Journal and Times; Waldemar Kaempffert, Science Editor, New York Times; Alfred A. Knopf, Publisher, New York City; Mrs. Marjorie Peabody Waite, daughter of George Foster Peabody whose name the awards bear; President, "Yaddo"; and Edward Weeks, Editor, Atlantic Monthly, Boston, Massachusetts.

Meritorious public service by individual radio stations, regional and local, will this year be recognized in the George Foster Peabody radio awards.

December 15 has been set as the closing date for this year's entries. Proper forms may be secured from either the NAB offices in Washington or from Dean John E. Drewry of the Grady School. Forms have been mailed to all radio stations. Additional forms are available at the NAB.

Last year the Peabody awards went primarily to programs. The year before stations and networks were recognized. For 1942 both programs and stations are to be eligible.

The Peabody awards, as originally set up, were designed to recognize the most disinterested and meritorious public service rendered each year by the broadcasting industry, and to "perpetuate the memory of George Foster Peabody, benefactor and life trustee of the University of Georgia, and friend of educational progress everywhere."

This original purpose will be borne in mind in this year's selections, but an effort will be made to narrow the bases of measurement both in terms of stations and programs.

Awards will be made in at least six categories: 1. That program or series of programs inaugurated and broadcast during 1942 by a regional station which made an outstanding contribution to the welfare of the community the station serves. 2. That program or series of programs inaugurated and broadcast during 1942 by a local station which made an outstanding contribution to the welfare of the community the station serves. 3. Outstanding reporting of the news. 4. Outstanding entertainment in drama. 5. Outstanding entertainment in music. 6. Outstanding educational program.

The awards under reporting, drama, music and education may go to either a station or a network program.

Each entry may be accompanied by one transcription. If more are necessary to give the board members a fair understanding of the entry, special arrangements can be made. In previous years, the board has been inundated with exhibits, recordings, and other display material, much of which was quite costly and unnecessary. This year the board member would like to have the entries in a more compact and more readily handled form.

Entries may be submitted by individual stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody board to a special program or programs. The board in its selections will not necessarily be restricted to entries, but may on its own initiative select a program or a station for an award. The board also reserves the right to make more or less than six awards, depending upon the entries and the circumstances at the time of the awards.

PER INQUIRY—FREE TIME

M. B. Waterman & Co., Chicago, Ill., is seeking per-inquiry business for a client on a hand-carved reproduction crucifix.

The Dixie Music Publishing Company, 1674 Broadway, New York City, is attempting to secure P-I deals for their series of song books, "Roundup of Song Hits."

The United Advertising Companies, Chicago, is still soliciting P-I business, this time for a Christmas card maker.

The United Broadcasting Company, Chicago, offers to sell a publication called "The Black Book of Poland" on a per-inquiry basis.

Free publicity is being sought by Batten, Barton, Durstine & Osborn Advertising Agency in behalf of Eatmor Cranberries; by the J. Walter Thompson Company for the New York Dress Institute; by the William R. Harshe Co., Chicago, for the game, "Battle Checkers," and by the Window Shade Institute, New York City, which, taking advantage of conditions resulting from the war, claims that the use of their cloth window shades will aid the government in fuel conservation efforts.

The definite increase in the number of these per-inquiry and free-time deals is cause for alarm. It would seem to indicate that too many broadcasters are accepting this copy, else agencies and advertisers would not continue to send it out.

The Sales Managers Division of the NAB has done everything possible to discourage this type of practice. In nearly every instance where stations have returned a P-I offer with the statement that such business is not acceptable and have quoted the agency card rates for the business, a contract at standard rates has been forthcoming. This practice can be stopped only by the united action of the industry in refusing to accept P-I deals or in carrying an undue amount of free advertising with the hope that it may produce some future business.

Stations are urged to continue to send information regarding all such deals to NAB.

FEDERAL COMMUNICATIONS COMMISSION

COOPERATION PROGRAMS

The following letters are in reply to a request by the FCC that CBS and NBC state the facts relevant to its refusal to carry the program "Let's Get Together, Neighbor," of the Cooperative League of the United States of America:

"COLUMBIA BROADCASTING SYSTEM, INC.
485 Madison Avenue
New York City

October 20, 1942.

Executive Offices
Paul W. Kesten
Vice President
and General Manager

T. J. Slowie, Secretary
Federal Communications Commission
Washington, D. C.

Dear Sir:

This will acknowledge receipt of your letter of October 14, 1942 with respect to the Cooperative League of the U. S. A. We appreciate your interest in this matter and the opportunity to present complete information on the reason which prompted us to decline to sell time to the Cooperative League of the U. S. A.

The Columbia Broadcasting System has for years sold time only for the purpose of advertising the goods or services of the sponsor (except to a political party during the actual campaign for the election of candidates). We have steadfastly declined to sell time for purposes of propaganda on one side or another of any controversial issue. The programs proposed by the Cooperative League did not offer for sale to the listener either the goods or services of the advertiser, and thus lay outside the field within which we sell our facilities. Moreover, the offered programs were clearly controversial in nature, being designed to promote a fundamental change in the present system of marketing and distribution of goods and services whereby cooperative associations would largely supplant retail stores and other common distribution establishments (see our statement on this subject of October 7, 1942 which is attached).

In August of this year, Mr. Wallace Campbell, Assistant Secretary of the Cooperative League, requested general information with respect to the mechanics of radio broadcasting and the purchasing of radio time. This information was furnished to him. Mr. Campbell did not request information with respect to the availability of any of our stations or disclose what programs he was considering.

In the early part of September, Atherton & Currier, Inc., a New York advertising agency, requested information with respect to the availability of time for broadcasts sponsored by the Cooperative League over stations WCCO and WJSV. As is our custom, we advised Atherton & Currier that we would want an opportunity to examine a copy of the proposed program material before accepting an order for broadcasts on behalf of the Cooperative League. On September 22, 1942, Atherton & Currier forwarded a copy of the script which they proposed to use for the first League broadcast. A copy of Atherton & Currier's letter of September 22, 1942, together with a copy of the script referred to therein, is enclosed.

After a careful consideration of such information as we could obtain with respect to the Cooperative League, and after an examination of the script, we came to the conclusion that in view of our long established policy not to sell time for programs devoted to public controversial issues, we could not accept an order for the Cooperative League's broadcasts. We so advised Atherton & Currier on or about September 24, 1942.

Our policy of refraining from selling time for the discussion of public controversial issues is well known by users of radio and was incorporated in the Code of the National Association of Broadcasters at its annual convention in 1939. For your information, we are enclosing an excerpt setting forth the provision of the NAB Code, together with excerpts from various prior statements on our part of that policy. This policy has, naturally, closed the door to large revenues for us. As Mr. Paley testified before the Interstate Commerce Committee of the Senate in June, 1941, we could have made tremendous sales of time to people who wanted to fight Congressional legislation such as the Public Utility Holding Company Act of 1935, and we have lost $9,000,000 in revenue because of our standards and policies.

So that you may have the benefit of some of the documentary evidence which led us to the conclusion that the Cooperative League is essentially an organization devoted to publicizing and promoting cooperatives as such and to advocating a change in our economic structure, we are enclosing various excerpts from the New York *Times*, together with excerpts from literature of the Cooperative League.

Although as stated in our release of October 7, 1942, we felt that our long established policy, as well as the NAB Code, prohibited acceptance by us of the Cooperative League's broadcasts, we naturally would accept a program sponsored by a cooperative engaged in the sale of goods which advertised the goods offered for sale. As a matter of fact, Station WCCO has in the past, carried several commercial series sponsored by the Land of Lakes Cooperative for the advertising of its butter, cheese and poultry products.

Although the point is a minor one, even if broadcasts sponsored by the Cooperative League were acceptable to us in view of our policies, we could not accept the programs as proposed since the entire content would have to be counted as commercial and, as you know, we have definite limitations on the amount of commercial copy which may be broadcast in connection with any sponsored program.

Sincerely,

(S) Paul W. Keston."

October 22, 1942.

Honorable T. J. Slowie, Secretary,
Federal Communications Commission,
Washington, D. C.

Dear Mr. Slowie:

This is in reply to your letter of October 14th, asking for information concerning the refusal of the National Broadcasting Company to sell time to The Cooperative League of the U. S. A. for the broadcasting of a program entitled "Let's Get Together Neighbor." Briefly, the facts are as follows:

The representatives of The Cooperative League of the U. S. A. approached NBC in an endeavor to purchase time over stations WTAM, Cleveland and KDKA, Pittsburgh only, and not over the NBC network. NBC is the operator of WTAM, and acts as national spot sales representative for the licensee of KDKA. The programs were to be rendered by means of electrical transcriptions.

We were advised by the League that it is "a nonprofit, nonpolitical membership organization established in 1916 and is chartered under the laws of the State of New York. It is the national federation of consumer cooperatives comprised of twenty regional and national associations with one and one-half million family patron members in 46 states. . . . The league is financed by dues of seven and one-half cents per year for each individual member of associated organizations. Special activities like radio are financed by additional contributions of members and member associations. Our bank is Amalgamated Bank New York. National offices are maintained in Chicago, New York and Washington. Purpose of league is to coordinate national activities and to promote additional business and membership in existing co-ops and to encourage the organization of neighbors to help themselves through cooperatives."

When the League approached us, the program for which they proposed to buy time was obviously designed not only to sell the cooperative movement generally, but to obtain additional members for its member cooperatives. In our opinion, the script for the first broadcast violated NBC program policies in many respects and would not have been acceptable to us for broadcasting in the form in which we received it. The particular NBC program policies which seemed to us to have been violated by the script are as follows:

> "Statements which tend to undermine an industry by attributing to its products generally faults and weaknesses true only of a few, and statements which are derogatory to an individual, an institution, a group or an industry must be avoided.
>
> "Commercial programs shall not refer to any competitor, or his products, directly or indirectly.
>
> "Statements of prices and values must be confined to specific facts. Misleading price claims or misleading comparisons tend to challenge the integrity of all advertising and must not be used."

Assuming, however, that the script might have been rewritten to comply with the above policies, still the primary purpose of the program, from the League's advice to us, was to acquire additional members for the consumer cooperatives which are members of the League. NBC has had a very long established policy which prohibits the acceptance on a commercial broadcast basis of any planned campaign that solicits or promotes membership drives. Under that policy we would not sell time for membership drives on behalf of any organizations. The counterpart of this policy is another NBC policy under which we do not sell time to promote the purchase of specific stocks, bonds, properties, etc.

Furthermore, so far as the proposed program purported to further the "cooperative movement," as opposed to other methods of distribution followed in the United States today, it was controversial in nature. NBC has long had a policy of not selling time for the broadcasting of controversial issues, except in the case of political broadcasts during campaign periods. This policy is the rule of the broadcasting industry.

In light of these obvious violations of NBC program policies, we had no alternative but to refuse the business as applied to WTAM. Under instructions from the licensee of KDKA, which advised us that the program likewise violated similar policies of that station, we declined to sell time for the program over KDKA as well.

At the time the program was turned down, we made clear to the League that we had no policy against selling time to them, or their members, subject to our policies, for the purpose of selling products or the services of particular cooperative stores. The fact of the matter is that we have often sold time to various cooperatives for the purpose of selling their various products.

Furthermore, I believe it will interest you to know that in balancing our program content, we have from time to time made sustaining time available to the proponents of the various phases of the cooperative movement, during which they discussed the merits and methods of functioning of cooperatives. In fact, we have given sustaining network time to The Cooperative League of the U. S. A. itself.

It is interesting to note that the NBC policies and those of the industry against selling time for membership campaigns and for the broadcasting of controversial subjects have stood the test of time.

On the subject of controversial issues, I quote the following from the Code of the National Association of Broadcasters:

> "Time for the presentation of controversial issues shall not be sold, except for political broadcasts. There are three fundamental reasons for this refusal to sell time for public discussions and, in its stead, providing time for it without charge. First, it is a public duty of broadcasters to bring such discussion to the radio audience regardless of the willingness of others to pay for it. Second, should time be sold for the discussion of controversial issues, it would have to be sold, in fairness, to all with the ability and desire to buy at any given time. Consequently, all possibility of regulating the amount of discusison on the air in proportion to other elements of properly balanced programming or of allotting the available periods with due regard to listener interest in the topics to be discussed would be surrendered. Third, and by far the most important, should time be sold for the discussion of controversial public issues and for the propagation of the views of individuals or groups, a powerful public forum would inevitably gravitate almost wholly into the hands of those with the greater means to buy it."

The second and third points made by the NAB Code apply equally to programs dealing with controversial issues and those designed to promote the sale of memberships.

Cordially yours,

(S) Niles Trammell.

In this connection, Representative Gehrmann (Prog.-Wis.) introduced the following resolution in the House (H. Res. 564):

Whereas the Cooperative League of the United States of America has reported in a resolution formally adopted at the Thirteenth Biennial Congress of the league that the National Broadcasting Company and the Columbia Broadcasting System had unfairly and unjustly discriminated against the league by denying the league the opportunity to purchase radio time; and

Whereas this report of the Cooperative League of the United States of America raises a very vital question as to the necessity for amendments to the Communications Act of 1934: Now, therefore, be it

Resolved, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized and directed to obtain such facts as the Cooperative League of the United States of America, the broadcasting companies, the Federal Communications Commission, the Department of Justice, and other Government agencies and other groups or persons may have bearing on the accuracy of the charges of discrimination against cooperatives and others by the major broadcasting companies in the sale of their radio time; and on the question whether the Federal Communications Act of 1934 should be further amended to authorize the Federal Communications Commission to prevent such discrimination, or should be otherwise amended to deal with the problem of granting further authority to the said Commission by restricting or affecting the power of said broadcasting companies. The said committee or duly authorized subcommittee is authorized and directed to secure the assistance of other Government agencies in the investigation hereby authorized and to report to the House the facts ascertained in the course of the investigation and the recommendations therein.

For the purposes of this resolution, the committee or any duly authorized subcommittee thereof is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the House, to require by subpena or otherwise the attendance of such witnesses and the production and impounding of books, papers, and documents, to administer oaths, and to take such testimony as it deems advisable.

BRIDGES COMPLAINS

. Senator Bridges, of New Hampshire, has sent a telegram to members of the FCC complaining about broadcasts on Station WMUR at Manchester, New Hampshire. In his wire the Senator stated:

The radio voice of New Hampshire Inc. with a principal place of business at Manchester, New Hampshire, operating Radio Station WMUR, whose principal stockholder and director at the time of incorporation and presumably still is Francis P. Murphy of Nashua, New Hampshire, a candidate for election to the United States Senate, broadcasts daily in supposedly news broadcasts political statements wholly designed to promote the candidacy of Mr. Murphy and to discredit other candidates. These broadcasts are not confined to an impartial broadcast of the news as announced. Furthermore, people over this station in the interests of Mr. Murphy's candidacy have been guilty of making numerous slanderous statements tending to degrade other candidates for political office. Freedom of speech is being daily transgressed by these grossly false utterances obviously intended to wilfully, wantonly and maliciously misinform and misguide the citizens of New Hampshire by this false propaganda. I demand in the interests of common decency for the people of New Hampshire an immediate full and complete investigation of all broadcasts issuing from this radio station and that proper steps be taken at once by the Commission to stop this false and malicious propaganda and that the Commission use its power of suspension or withdrawal of license if necessary.

October 27, 1942.

Senator H. Styles Bridges
Concord, New Hampshire

With reference to your complaint relating to Station WMUR, Commission is calling for a full statement from the station with respect to this matter and in addition is sending a representative to New Hampshire who will get in touch with you upon his arrival in Concord tomorrow.

James Lawrence Fly,
Chairman.

October 27, 1942.

Radio Voice of New Hampshire, Inc.
Manchester, New Hampshire

Commission has received a complaint from Senator Bridges with respect to certain of your broadcasts in connection with the present senatorial campaign. A copy of Senator Bridges' complaint is being forwarded to you tonight by airmail. Please furnish the Commission with a full statement with respect to this matter. Also please have a responsible officer available to discuss this matter with Commission's representative who is leaving here tonight for Manchester.

T. J. Slowie,
Secretary.

CRD/to

CHAIRMAN FLY'S PRESS CONFERENCE

It is probable that the FCC will take some action this week regarding wartime operation of broadcast stations, James Lawrence Fly, Chairman, told a press conference early this week. When asked if he thought it would be coming along soon the Chairman said:

"I would guess so. I think I ought to stress again that whatever is done there will not result in any lessening of the coverage of radio stations due to change in the various rules in the operation of the equipment. We will have the same effective output and same coverage we have had heretofore. You see, some of the rules which we have had regulating the equipment have necessarily been very strict, and we have got to a point now where by changing those rules and the consequent change in method of operation we can get a more effective output so I think we can increase the life of the equipment materially without effecting coverage at all."

Mr. Fly told the newsmen when asked about the Cooperative League situation that he doubted if the Commission can take any further steps in the present state of affairs. The Commission, he pointed out, "has no means of requiring the broadcaster to take any program regardless of its merit."

The FCC, Mr. Fly said, has cooperated with the OWI and CAA in regard to the whole matter of international broadcasting with facilities available for that broadcasting. In connection with a question as to whether or not the Commission would enter into the leasing of shortwave facilities from the networks and other owners by OWI, Mr. Fly said:

"We have been aware in general of the plans to control the facilities; also because of the problem of additional facilities, I would suppose that the contract would come before the Commission formally in view of the fact that it involves a new type of operation other than that which is covered by the existing license. In other words, it is a change in the license arrangements."

The Chairman told the newspapermen at the conference that he was sure that the Commission is sympathetic with the plans for the 22 new shortwave outlets for international broadcasting and he expressed the opinion that they should have a high order of priority. Mr. Fly, talking further on this subject said:

"At the same time I don't think any of us can say whether a given number of transmitters—whether some or all of them can be placed ahead of other very essential requirements. The requirements for transmitting facilities are very heavy and I might say very serious from a military point of view. The question for those who control the disposition of whatever amount of materials we have on hand, will be wherever those materials do the most war purpose. Now I can't form that judgment from where I sit, and I don't want to be taken as saying therefore that the order for these transmitters must go ahead of the orders for the transmitters to be used directly in the military service. That is a grave problem and it has to be appraised on the whole and on the light of one predominant requirement, that of winning the war."

BWC ORDER

The Board of War Communications has issued Order No. 23 authorizing the War Department to use, control, supervise, inspect or close facilities for wire or radio communications in Puerto Rico.

The Board's order is as follows:

WHEREAS, The Board of War Communications has determined that the National security and defense and the successful conduct of the war demand that all non-military stations and facilities for radio or wire communication in Puerto Rico shall be subject to use, control, supervision, inspection or closure by the Department of War;

NOW, THEREFORE, By virtue of the authority vested in the Board of War Communications by Executive Orders No. 8546, 8964 and 9089 of September 24, 1940, December 10, 1941, and March 6, 1942, respectively:

IT IS HEREBY ORDERED, That all non-military stations and facilities for radio or wire communication in Puerto Rico shall be subject to such use, control, supervision, inspection or closure by the Department of War in accordance with the terms of the said Executive Orders as the Secretary of War may deem necessary for the national security and defense and the successful conduct of the war;

PROVIDED, HOWEVER, That nothing herein shall apply to facilities controlled by the Department of Navy under Order No. 2 of the Board.

Subject to such further order as the Board may deem appropriate.

FCC APPOINTS DAVID

The FCC announced the appointment of Nathan H. David of Boston, as Assistant General Counsel in charge of the War Problems Division which he has headed since February of this year when he returned to the FCC after a sojourn with the Coordinator of Information as Radio Liaison Officer (From September 1941 to February 1942).

Mr. David was graduated from Yale University in 1934 and from Harvard Law School three years later. He served two years on the Board of the Harvard Law Review, the second being spent as Case Editor.

From 1937 to October 1939 Mr. David was associated with the Boston law firm of Burns & Brandon. He was first on the staff of the FCC as Assistant to the Chairman from October, 1939 to September, 1941.

The Commission also appointed Harry M. Plotkin as Chief of the Litigation and Administration Division and Donald M. Harris as Principal Attorney. Mr. Harris fills the vacancy created by the recent promotion of Rosel Hyde to Assistant General Counsel.

Mr. Plotkin was born in Athol, Mass., on May 18, 1913. He attended Harvard College where he received his A.B. Degree in 1934, and Harvard Law School where he received his LL.B. Degree in 1937. Upon graduation he engaged in law practice in Chicago for two and one-half years. He joined the Commission's legal department in January, 1940 as a member of the Litigation and Motions Section. Prior to his appointment today, Mr. Plotkin was Chief of the Litigation and Motion Section.

Donald M. Harris was graduated by Amherst in 1932 and by the Columbia University Law School in 1934. He is a member of the New York bar and was associated with the firm of Carter, Ledyard & Millburn there from 1935 to 1941. He joined the Federal Communications Commission in September, 1941.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 2. They are subject to change.

Monday, November 2

WIOD—Isle of Dreams Broadcasting Corporation, Miami, Fla.—C. P., **610 kc.,** 5 KW night, 10 KW day, unlimited, DA-night and day.

KXO—Valradio, Inc., El Centro, Calif.—Modification of C. P., **1230 kc.,** 100 watts, unlimited.

Friday, November 6

WHEB—R. G. LeTourneau, Transferor The LeTourneau Foundation, Transferee, Portsmouth, N. H.—Transfer of control of WHEB, Inc., **750 kc.,** 1 KW, limited time—WSB.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KEYS—Earl C. Dunn and Charles W. Rossi, a partnership, d/b as Nueces Broadcasting Co. (Assignor), Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, a partnership d/b as Nueces Broadcasting Co. (Assignee), Corpus Christi, Texas.—Granted consent to voluntary assignment of license (B3-AL-352) of station KEYS, from Earl C. Dunn and Charles W. Rossi, d/b as Nueces Broadcasting Co., to Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co., by transferring and assigning to a newly formed partnership consisting of Earl C. Dunn and Charles W. Rossi all assets, etc., of KEYS, for a total amount of $8,065.26.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Approved power of attorney for the affairs of Louis G. Baltimore insofar as it relates to station WBRE, to be handled by Albert C. Baltimore, his brother. The power of attorney will terminate upon release from the Armed Services in which Louis G. Baltimore is now serving.

KFBG—Frontier Broadcasting Co., Cheyenne, Wyo.—Granted special temporary authority to operate relay broadcast station KFBR with equipment (of 15 watts power) other than that specified in station license, for the period ending midnight November 15, 1942, "to broadcast programs in connection with the new oil field discovery 30 miles northwest of Cheyenne."

W8XAL—The Crosley Corporation.—Granted application (B2-SAIB-6) for extension of special experimental authorization heretofore granted, for the period November 1, 1942, to November 1, 1943, to operate a 1 KW transmitter on frequency **6080 kc.,** using A0 and A1 emission for identification only, sharing time with station WLWO.

DESIGNATED FOR HEARING

Carl S. Ashbacker and Grant F. Ashbacker, d/b as Ludington Broadcasting Co., Ludington, Mich., and WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Designated for hearing application for construction permit (B2-P-3406) of Ludington Broadcasting Co., and application of WKBZ, Ashbacker Radio Corp., for modification of license (B2-ML-1106). The Ludington Broadcasting Co. requests authority to construct a new station at Ludington, Mich., using the frequency **1490 kc.,** 250 watts, unlimited time. This application is contingent upon the granting of the application of WKBZ to change frequency from **1490** to **1450 kc.**

Chattahoochee Broadcasting Co., Columbus, Ga.—Designated for hearing application for construction permit (B3-P-3023) for a new station to operate on **1450 kc.,** 250 watts, unlimited time.

LICENSE RENEWALS

KGFJ—Ben S. McGlashan, Los Angeles, Calif.—Granted renewal of license for the period ending February 1, 1943.

WCRW—Clinton R. White, Chicago, Ill.—Granted renewal of license for the period ending April 1, 1943.

KSEI—Radio Service Corp., Pocatello, Idaho.—Granted renewal of license for the period ending August 1, 1944.

KUOA—KUOA, Inc., Siloam Springs, Ark.—Granted renewal of license for the period ending October 1, 1944.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted renewal of license for the period ending October 1, 1944.

WEVD—Debs Memorial Radio Fund, Inc., New York City.—Granted renewal of license for the period ending October 1, 1944, except for auxiliary.

MISCELLANEOUS

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted modification (B3-MP-1652) of construction permit (B3-P-3355) for extension of completion date to 1-5-43.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Granted modification (B2-MP-1654) of construction permit (B2-P-2913) for extension of completion date to 2-3-43.

WPDQ—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Granted license (B3-L-1721) to cover construction permit (B3-P-3385) which authorized a new station to operate on **1270 kc.,** 5 KW, unlimited time, DA-night, and for approval of studio site at Gulf Life Bldg., 125 W. Church St., Jacksonville; also authority to determine operating power by direct measurement of antenna power (B3-Z-1456).

WDAF—The Kansas City Star Co., Kansas City, Mo.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1457).

WMBI—The Moody Bible Institute of Chicago, Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1453).

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted authority to make changes in automatic frequency control equipment (B3-P-251).

WHEB—R. G. LeTourneau, Transferor, and the LeTourneau Foundation, Transferee, Portsmouth, N. H.—Denied petition for reconsideration and grant without hearing of the application for transfer of control of WHRB, Inc., Portsmouth, N. H.

WDSU—WDSU, Inc., New Orleans, La.; WMIS, Natchez Broadcasting Co., Natchez, Miss.; WGRM, P. K. Ewing, Greenwood, Miss.—The Commission on its own motion entered an order continuing the hearing on these cases from November 17 to December 9; and further ordered that said hearing be held in New Orleans, La., to take testimony of witnesses available there, and that at the conclusion thereof said hearing be adjourned to Washington, D. C., for completion. This involves the applications of WDSU, WMIS and WGRM for renewal of licenses, and application of WDSU for construction permit to reinstate construction permit (B3-P-2923) as modified.

KIEM—Eureka Broadcasting Co., Inc., Eureka, Calif.—Denied special Service Authorization to operate with 1 KW at night (B5-SSA-42), and issued modified license for 1 KW operation at night subject to the condition that the RRS interference would not be caused to Canadian Station CJVI, in excess of 4.2 millivolt per meter contour.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Denied petition (Commissioner Payne dissenting) of WFAS to reconsider the Commission's action of May 19, 1942, and grant application for modification of license (Docket 6216). On May 19, 1942, the Commission denied two petitions for reconsideration and grant of the instant application.

WCLE—United Broadcasting Co., Cleveland, Ohio.—Granted motion to accept amendment to application (B2-P-2834) to request change of frequency only, and application removed from hearing docket.

WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C. —Granted motion to accept amendment to application (B3-P-3391) for construction permit to request **640 kc.,** 5 KW, using modified directional antenna at night and using present transmitter and antenna, and removed application from hearing docket.

WMIS—Natchez Broadcasting Co., Natchez, Miss.; WGRM, P. K. Ewing, Greenwood, Miss.—Passed for one week motion to take depositions, etc., in re applications for renewal of licenses of WMIS and WGRM.

KXO—Valradio, Inc., El Centro, Calif.—Granted petition to dismiss without prejudice application for modification of license (B5-ML-1128).

WHAT—Independence Broadcasting Co., Philadelphia, Pa.—Granted petition to dismiss without prejudice application (B2-ML-1129) for modification of license.

WEBR—WEBR, Inc., Buffalo, N. Y.—Granted petition to dismiss without prejudice application (B1-P-3504) for construction permit for booster station at North Tonawanda, N. Y.

APPLICATIONS FILED AT FCC

1230 Kilocycles

KBTM—Jay P. Beard, trading as Regional Broadcasting Co., Jonesboro, Ark.—Modification of license to increase power from 100 watts night, 250 watts daytime to 250 watts day and night.

1450 Kilocycles

KDNT—Harwell V. Shepard, Denton, Texas.—Modification of license to change frequency from **1450 kc.** to **1400 kc.**

1470 Kilocycles

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Modification of construction permit (B2-P-2637 as modified), which authorized increase in power, change in hours of operation, installation of new transmitter and directional antenna, for extension of completion date from 11-10-42 to 5-10-43.

FM APPLICATION

NEW—Don Lee Broadcasting System, Los Angeles, Calif.—License to cover construction permit (B5-PH-26 as modified), which authorized construction of new high frequency broadcast station, in part in accordance with Commission action of 8-4-42.

TELEVISION APPLICATION

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Modification of construction permit (B5-PVB-33 as modified), which authorized construction of new television broadcast station for change in type of transmitters, change in aural emission from A3 to special, changes in aural antenna system, increase in power from 1 KW to 2 KW for aural and 4 KW for visual and extension of completion date. Amended: to request 1 KW power for aural instead of 2 KW.

MISCELLANEOUS APPLICATION

KSEH—KSTP, Inc., St. Paul, Minn.—License to cover construction permit for new relay broadcast station (B4-PRE-419).

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Capudine Chemical Co., Raleigh, N. C., engaged in the manufacture and sale of a medicinal preparation designated "Hick's Liquid Capudine," is charged in a complaint with false advertising and misrepresentation. (4852)

Chelf Chemical Co., Richmond, Va., engaged in the manufacture and distribution of a medicinal preparation designated variously as "C.C. Compound," "C.C.C.C." and "4 C's," is charged in a complaint with false advertising and misrepresentation. (4850)

Electrovita Sales Company of Ohio, Norwalk, Ohio, sellers and distributors of mineral water designated "Elsaco Mineralized Water," is charged in a complaint with misrepresentation. (4858)

Emerson Drug Co., Baltimore, engaged in the manufacture and sale of a medicinal preparation designated "Bromo-Seltzer," is charged in a complaint with false advertising and misrepresentation. (4854)

Perfect Manufacturing Co., doing business as the So-Lo Works, 3317 Madison Road, Cincinnati, engaged in the manufacture and sale of an adhesive cement designated "So-Luminum," is charged in a complaint with misrepresentation. (4856)

Plaza Luggage & Supply Co., Inc., and Benjamin Goldstein and Abraham Goldstein, doing business as U. S. Luggage & Leather Products Co., 29 West 34th St., New York, engaged in the sale and distribution at retail of luggage, billfolds and kindred merchandise, are charged in a complaint with misrepresentation. (4857)

B. C. Remedy Co., Durham, N. C., engaged in the manufacture and sale of a medicinal preparation designated "BC" and "BC Headache Powders," are charged in a complaint with false advertising and misrepresentation. (4851)

Stanback Company, Ltd., Salisbury, N. C., manufacturers and distributors of a medicinal preparation designated "Stanback Headache Powders" and "Stanback," are charged in a complaint with false advertising. (4855)

Ulrici Medicine Co., Inc., and Trans-Pac Services, Inc., located, respectively, at 233 West 14th St., New York, and 4-20 47th Avenue, Long Island, N. Y., are charged in a complaint with misrepresentation. (4853)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

May Department Stores Co., Physicians Electric Service Corporation, and Soloman E. Mendelsohn, individually and as an officer of the corporation, all of Los Angeles, have been ordered to cease and desist from misrepresentations concerning a short-wave diathermic device advertised as "Pescor Shortwavatherm." (4683)

Master Herb Co., whose last known address was 215 West 9th St., Los Angeles, has been ordered to cease and desist from disseminating false advertisements concerning the therapeutic value of Chinese herbs. (4748)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Allied Pharmacal Co., Inc., 2108 Payne Ave., Clevland, Ohio, has entered into a stipulation to cease and desist from certain misrepresentations concerning the medicinal preparations it sells to retail druggists. The corporation conducts its business under the trade names Erie Laboratories, Inc., Avon Pharmacal Co., Victor Drug Products, Mason Pharmacal Co., Mack Pharmacal Co., Dale Drug Products, and Murray's. (3547)

Bathritis Co., 207 Michigan Ave., Chicago, selling a medicinal preparation designated "Bathritis," has stipulated to discontinue representing that the product, when used as directed in the bath, has any therapeutic effect in the treatment of rheumatism, neuralgia or other ailments, or, when used as a liniment, is effective in excess of relieving pain; that it relieves sprains, stiffness and swelling or works toward restoring normal active muscular health; that it is effective in comforting inflamed tissues; that it is effective in dispelling body odors, or that it is a new discovery. (03065)

Commodore Woolen Co., 257 Fourth Ave., New York, distributors of textile fabrics, stipulated that they will cease and desist from the use on tags or labels of the words "Harrison Tweed" as a designation for a textile fabric other than genuine Harris Tweed; and from the use of the word "Harrison" or other word suggesting "Harris," the effect of which may convey the belief that a textile fabric other than Harris Tweed is Harris Tweed. (3549)

Delettrez, Inc., 21-09 Borden Ave., Long Island, N. Y., engaged in selling a cosmetic designated "Liquid Chin Strap," has stipulated to cease and desist from representing that the product will help ward off the appearance of age or greyish surface lines; that it will heighten the arch or sweep of chin lines; that it has a therapeutic effect on the skin or contour thereof or has a physiological effect in excess of a temporary feeling of an astringent at the site of its application; or that its use will result even in the temporary disappearance of crepy skin. (03066)

Geppert Studios, 201 East Locust St., Des Moines, Iowa, entered into a stipulation to cease and desist from representing that the photographic enlargements they sell are given free when actually the prospective recipients are required to pay a consideration for them, and from failing to clearly disclose in their advertising matter that, in order to avoid delay in the delivery of an alleged "free" enlargement, the customer must assume an expense other than that indicated in the advertising.

The respondents also agree to discontinue the use of such words as "may be withdrawn soon" or the word "special" in connection with an offer so as to imply to prospective purchasers that the offer is of limited duration or is other than that customarily made by the respondents in the usual course of their business.

Martin-Lane Co., Vernon, Tex., selling animal food supplements designated "Crown Minerals and Yeast" and "Crown Range Minerals," has stipulated to cease representing that the products are rich in vitamin A and E; that they will prevent or cure other than secondary anemias or will promote higher hatchability in chickens; be effective in the prevention or cure of coccidiosis; keep down worm infestation; reduce loss of weight in hogs shipped to market; that by feeding Crown Minerals and Yeast a 100-pound gain can be made on an average three-year-old steer with less than 700 pounds of meal and corn and 400 pounds of hay, or that it is capable of causing a 15 percent or larger increase in egg production over that of other good commercial feeds or effecting a 20 percent increase in the production of livable chicks without limiting such comparison to ordinary range feeding or such method of feeding as is nutritionally inadequate. (03064)

Master Vita-Min Laboratories, 224 West Superior St., Chicago, entered into a stipulation to discontinue certain misrepresentations in connection with the sale of medicinal preparations advertised and sold under the names "Dulse-Dene," "Vita-Broth," "Garlo-Min," "Vege-Molen," "Vita-Lax," and "M-7." (3546)

Jack Roseman Co. and Jasmar Jewelry Co., 307 Fifth Ave., New York, entered into a stipulation to cease and desist from certain misrepresentations in connection with the sale of novelty jewelry. They agree to discontinue representing that their jewelry is avid-proof and to stop the use of the word "guarantee" in connection with the advertising or sale of his merchandise, unless, whenever used, unequivocal disclosure be made of the nature of the guarantee and exactly what is offered by way of security, as, for example, refund of purchase price; and from the use of such word in connection with any offer or agreement which is not a bona fide guarantee. The respondents also agree to discontinue use of the word "manufacturers" to imply that they make the jewelry they sell or that they own and operate or directly control a plant in which such merchandise is manufactured. (3548)

Security Mills, Inc., Knoxville, Tenn., sellers of dry dog food preparations in meal, cubes and kibbled biscuit form under the trade name "Security Dog Food"; and C. K. Liller, W. W. Neal and J. L. Battle, trading as Liller, Neal & Battle, Atlanta, Ga., advertising agents of the product on behalf of Security Mills, Inc., have stipulated to cease and desist from representing that Security Dog Food will give added health to dogs; that it possesses value in building resistance to infectious or other types of diseases in excess of its ability to furnish food essentials necessary to the maintenance of such resistance as is normal to the healthy animal; that it will increase the size of litters except where rations have been inadequate, or that it will provide a defense against colds, skin diseases, and other ailments except where resistance may be low due to nutritional deficiencies in diet. (03063)

Worcester Textile Co., Inc., Greystone, R. I., has entered into a stipulation to cease and desist from the use of the words "Triple Twist" as a designation for its textile fabrics, the constituent yarns of which do not consist of three distinct strands or plies; and from the use of the word "Triple" or other word connoting a number, in any manner which might convey the belief that the number of strands or plies in the yarn is other than is actually the fact.

Worcester Textile Co., Inc., also agrees that no provision of the stipulation shall be construed as relieving it of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 and the rules and regulations issued thereunder. (3550)

FTC CASE DISMISSED

The Federal Trade Commission has dismissed its complaint which had charged John L. Keenan, trading as Franklin Institute, Rochester, N. Y., with misrepresentation in the sale of correspondence courses. The respondent Keenan died September 25, 1942.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 44, November 6, 1942

Retail Promotion Campaign

Chairman Paul Morency of the Retail Promotion Committee reports most enthusiastic response to the plan. At the six District meetings thus far held a genuine interest has been evidenced. Many questions have been asked of Lew Avery but no serious objection has yet been presented by any broadcaster. Resolutions unanimously endorsing the project have been adopted at each meeting and a considerable number of pledges have been received.

The following is a list of the signed pledges already in the hands of the Committee:

WATL—Atlanta, Ga.
WBLJ—Dalton, Ga.
WBLK—Clarksburg, W. Va.
WBML—Macon, Ga.
WBTM—Danville, Va.
WCBI—Columbus, Miss.
WCHS—Charleston, W. Va.
WCOV—Montgomery, Ala.
WDBJ—Roanoke, Va.
WDOD—Chattanooga, Tenn.
WFIG—Sumter, S. C.
WFOR—Hattiesburg, Miss.
WGGA—Gainesville, Ga.
WGPC—Albany, Ga.
WGTC—Greenville, N. C.
WHBQ—Memphis, Tenn.
WHO—Des Moines, Iowa
WHUB—Cookeville, Tenn.
WIS—Columbia, S. C.
WJPR—Greenville, Miss.
WKPT—Kingsport, Tenn.
WKZO—Kalamazoo, Mich.
WLAC—Nashville, Tenn.
WLBJ—Bowling Green, Ky.
WLVA—Lynchburg, Va.
WMBD—Peoria, Ill.
WMBR—Jacksonville, Fla.
WMC—Memphis, Tenn.
WMGA—Moultrie, Ga.
WOPI—Bristol, Tenn.
WOW—Omaha, Nebr.
WPAR—Parkersburg, W. Va.
WPAX—Thomasville, Ga.
WPTF—Raleigh, N. C.
WRBL—Columbus, Ga.
WRDW—Augusta, Ga.
WREC—Memphis, Tenn.
WSAZ—Huntington, W. Va.
WSIX—Nashville, Tenn.
WSJS—Winston-Salem, N. C.
WSLS—Roanoke, Va.
WSM—Nashville, Tenn.
WSPA—Spartanburg, S. C.
WSPD—Toledo, Ohio
WTIC—Hartford, Conn.
WTMA—Charleston, S. C.
WTMJ—Milwaukee, Wis.
WWNC—Asheville, N. C.
KANS—Wichita, Kansas
KATE—Albert Lea, Minn.
KFAC—Los Angeles, Calif.
KFEL—Denver, Colo.
KGHL—Billings, Mont.
KRE—Berkeley, Calif.
KTBS—Shreveport, La.
KTHS—Hot Springs, Ark.
KVOO—Tulsa, Okla.
KWKH—Shreveport, La.
KXRO—Aberdeen, Wash.

The following stations have promised their pledges:

WAGA—Atlanta, Ga.
WALB—Albany, Ga.
WBBB—Burlington, N. C.
WBT—Charlotte, N. C.
WCOS—Columbia, S. C.
WJLS—Beckley, W. Va.
WMAZ—Macon, Ga.
WTOC—Savannah, Ga.

The Retail Promotion Committee meets in New York, Friday, November 6, to canvass the situation and develop further plans. A full account will be given in next week's REPORTS.

District Meetings

DISTRICT 6

District Director Hoyt B. Wooten, WREC, called the two-day meeting of the Sixth District of NAB to order Friday morning (October 30) in the audience studio of WSM. To participate in the discussion of "Broadcasting in Wartime", fifty-one broadcasters, government and industry representatives were present.

The revised OWI plan for industry cooperation was presented by Douglas Meservey, Carl Haverlin and K. W. Husted of the OWI Headquarters' staff. Several OWI regional consultants and branch managers were present. Following a discussion of the OWI proposals, Eugene Carr of the Office of Censorship outlined various interpretations of the Code and urged more careful study of its provisions.

At the afternoon meeting, Major J. R. Crittenden, in charge of occupational deferment under Selective Service in the State of Tennessee, discussed various phases of the Selective Service Act and subsequent rulings that relate to broadcasting.

After a discussion of manpower and the problems created by the increasing shortage of technicians and announcers, the meeting listened to an outline of the AFM-Petrillo problem by President Miller and Mr. Haverlin. At the conclusion of this discussion, the meeting unanimously passed a resolution endorsing the NAB stand on this situation.

The second day's meeting was dvoted to a discussion of wartime radio advertising. The meeting was presided over by Joe Eggleston, WMC, Sales Managers Chairman for the Sixth District. Lew Avery led a panel discussion of a variety of topics of interest to the commercial men in radio. John M. Outler, Jr., Chairman of the Sales Managers Executive Committee also participated. Unanimous endorsement of the Radio Promotion Plan was voted.

Following is the attendance:

Burt Adams, NBC; E. A. Alburty, WHBQ; Lewis H. Avery, NAB; Claude Barrere, NBC; J. W. Birdwell, WBIR; H. K. Carpenter, WHK; Eugene Carr, Office of Censorship; Madelinn Chace, Regional Director OCD; S. A. Cisler, WGRC; Marvin Cox, Regional Director OWI; Edwin W. Craig, WSM; Jack M. Draughon, WSIX; Louis A. Draughon, WSIX; Winston S. Dustin, WSM; Eunice Eckhoff, OWI; Joe Eggleston, WMC; Elaine Ewing, OWI; Bert Ferguson, WJPR; Albert E. Gibson, WSM; James C. Hanrahan, WMPS; Carl Haverlin, BMI-OWI; K. Wallace Husted, OWI; Ewing Johnson, OWI; Kenneth K. Kellam, KTHS; George A. Kercher, Edward Petry & Co.; M. L. Medley, WHUB; Douglas W. Meservey, OWI; John

(Continued on page 634)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, ***Counsel;*** Arthur C. Stringer, *Director of Promotion.*

DISTRICT MEETINGS

(Continued from page 633)

C. McCormack, KWKH; Joseph H. McGillvra, Joseph H. McGillvra, Inc.; Bob McRaney, WCBI; Neville Miller, NAB; H. L. Patterson, WFOR; Bill Reeves, WHUB; H. W. Slavick, WMC; F. C. Sowell, WLAC; Burt Squire, SESAC, Inc.; Powell Stamper, WSM; Jack Stapp, WSM; Harry Stone, WSM; Jess Swicegood, WKPT; J. T. Ward, WLAC; T. P. White, WJZM; W. A. Wilson, WOPI; Earle Winger, WDOD; Jack Wolever, WSIX; Hoyt B. Wooten, WREC; C. J. Wright, WFOR; E. S. Tanner, WSIX; Milton Blink, Standard Radio; Harry G. Templeton, WLS; C. O. Langlois, Lang-Worth Feature Programs; Carter Parham, WDOD; John M. Outler, Jr., WSB; and Ken D. Given, WLBJ.

DISTRICT 12

At a luncheon meeting, following the opening session of the two-day gathering at Hotel Tulsa of the broadcasters in the Twelfth NAB District, A. V. Harris, Manager of the Tulsa branch of the USES, paid tribute to and thanked the broadcasting station executives for the cooperation and genuine help they have given the USES in the reallocation of men from non-essential to war industries.

"In my estimation," he said, "the major credit for the success of this effort belongs to the radio stations".

He added that broacasting stations in this area have given unstintingly of their time and facilities to carry appeals of the USES to the vast listening audience.

The business was called to order in Hotel Tulsa at 10:00 a. m., on Monday morning by William B. Way, KVOO, District Director. Among those who spoke at the sessions were Herb Hollister of KANS, Director-At-Large; Neville Miller, President of NAB; Carl Haverlin of the Office of War Information; Eugene Carr, of the Office of Censorship; and Lewis H. Avery of the Department of Broadcast Advertising.

Following a report by President Miller and Carl Haverlin on the policy and activity of NAB in respect to the Petrillo ban on recorded music, a resolution endorsing the stand taken by the trade association was unanimously approved.

On Tuesday the Sales Managers met in an all-day session. Clark A. Luther, KFH, Sales Managers Chairman for the Twelfth District presided. The Retail Promotion Plan was enthusiastically received and unanimously endorsed and several pledges were forthcoming and promises of more were given.

The following were present:

L. H. Avery, NAB; Ellis Atteberry, KCKN; Burt Adams, NBC; Phillip Alexander, ASCAP; Lucille Burns, KOME; Tams Bixby, Jr., KBIX; Claude Barerre, NBC; Owen Balch, KSAL; Jimmie Barry, KBIX; Hillis Bell, KVSO; Matt Bonebrake, KOCY; Gustav Brandborg; KVOO; Ken Brown, KVOO; Eugene Carr, Office of Censorship; Fred Case, KWON; Plez S. Clark, KFH; I. T. Cohen, ASCAP; Walt Dennis, KVOO; Willard Egolf, KVOO; Maxine Eddy, KGFF; Harold Grimes, KOME; B. M. Grotkop, KOME; William C. Gillespie, KTUL; Herbert Hollister, KANS; Gus Hagenah, SESAS; Howard Hamilton, KVOO; Carl Haverlin, OWI-BMI; Lillard Hill, KADA; Jack Howell, KOMA; Clark A. Luther, KFH; Eugene McNally, KVOO; David R. Milsten, KVOO-KOME; Clem Morgan, KVGB; Milton Blink, Standard Radio; Neville Miller, NAB; Allen Page, KVOO; Howard Phillips, KVOO; Albert Riesen, KVSO; Fred Schwartz, KOME; E. Fred Scraper, KFH; Larry L. Sisk, OWI; Weldon Stamps, KADA; J. W. Slates, KFPW; Joe Story, WIBW; Jack Todd, KANS; Karl Troeglen, WIBW; William B. Way, KVOO; Adelaide L. Carrell, WBBZ; John Esau, KTUL; Robert Enoch, KTOX; and Helen Lee, KTUL.

DISTRICT 13

The two-day meeting of District 13 was called to order Wednesday morning in Dallas by Martin B. Campbell of WFAA-WBAB-KGKO, acting as Chairman in the absence of District Director Kern Tips of KPRC.

Among the representatives of Government departments and agencies, who discussed the relation of the war and the war effort to broadcasting, were: Col. Royden Williamson, Chief, Public Relations Office, Eighth Service Command; Capt. C. L. Steinmetz, Signal Corps, and Lt. H. B. Decherd, Jr., Public Relations Officer, Third Army—Southern Defense Command; Lt. Louis Read and Lt. Harold Banks, Eighth Naval District; Lt. Lester W. Lindow, Public Relations Officer, Camp Wolters, Texas; Carl Haverlin, Headquarters Consultant; Larry L. Sisk, Regional Consultant; Robert Wear, Fort Worth Manager; Paul White, Dallas Manager; Maurice Gardner, Houston Manager; David R. McGuire, Jr., New Orleans Manager; Marvin McAlester, Kansas City Manager; Harrington Wimberly, Oklahoma City Manager; all of OWI, and Eugene Carr of the Office of Censorship.

Strong resolutions regarding OWI and A. F. of M.-Petrillo were unanimously passed.

The complete attendance roster follows:

M. E. Danbom, KGKB; E. P. Duffie, KGKB; James G. Ulmer, KGKB; James R. Curtis, KFRO; C. K. Beaver, KARK; Paul Godt, KARK; Jack McGrew, KPRC; C. B. Locke, KFDM; Bert Mitchell, Roosevelt Properties; George Cranston, WBAP-KGKO; Ed Lally, WBAP-KGKO; John Rosser, WTAW; G. E. Zimmerman, KARK; Jimmie Pate, Lone Star Chain; Charlie Nethery, KXYZ; T. Frank Smith, KXYZ-KRIS; George Erwin, KFJZ; Bert Horswell, KNET; A. M. Herman, WBAP-KGKO; Wes Izzard, KGNC; Harold Hough, WBAP-KGKO; Ralph Maddox, WFAA-KGKO; Ralph Nimmons, WFAA-KGKO; Harfield Weedin, WFAA-KGKO; Martin Campbell, WFAA-WBAP-KGKO; Alex Keese, WFAA-KGKO; Boyd Kelley, KRLD; Earle Fletcher, KAND; H. R. Turner, WBAP-KGKO; T. B. Lansford, KRMD; Hugh Halff, WOAI; W. L. Klein, KTSM; Jack Keasler, WOAI; Jack Mitchell, KTSA; Aubrey Escoe, KTBC; Lofton Hendrick, KRRV; Leslie Pierce, KWFT; J. W. Crocker, KRLD; Joe B. Carrigan, KWFT; Clyde Rembert, KRLD; Eugene Roth, KONO; Pete Teddlie, WRR; Chas. B. Jordan, WRR; Lewis Lacey, KTSA; Wendell Mayes, KBWD; Lewis O. Seibert, KPLT; Howard Barrett, KRBC; Eugene Carr, Office of Censorship; Harrington Wimberly, OWI; Lt. Harold Banks, PRO, Eighth Naval District; George Kercher, Edward Petry Company; Marvin McAlester, OWI; David R. McGuire, Jr., OWI; Maurice Gardner, OWI; Lt. L. W. Lindow, PRO, Camp Wolters, Texas; Larry L. Sisk, OWI; Capt. C. L. Steinmetz, Signal Corps, Third Army—Southern Defense Command; Lt. H. B. Decherd, Jr., PRO, Third Army—Southern Defense Command; Col. Royden Williamson, Chief, Public Relations Office, Eighth Service Command; Lt. Louis Read, PRO, Eighth Naval District; Wilbur Keith, Social Security Board; Herbert Denny, Standard Radio; Tom Martin, OCD; Robert Wear, OWI; Carl Haverlin, OWI; Claude

Barrere, NBC; Lew Avery, NAB; Paul White, OWI; Philip O. Alexander, ASCAP; Milton Blink, Standard Radio; I. T. Cohen, ASCAP; Burt Adams, NBC; Gus Hagenah, SESAC; and, Neville Miller, NAB.

NEXT WEEK'S MEETINGS

Immediately ahead of the travelling party, which consists of Neville Miller, Lewis H. Avery, Carl Haverlin and Eugene Carr as the permanent members, and a number of others who are attending some of the meetings, lies the 14th District meeting which has been changed from Ogden, Utah, to Denver, Colorado. This 14th District meeting will be held at the New Albany Hotel on Monday and Tuesday, November 9 and 10. District Director Ed Yocum and Sales Managers Chairman W. E. Wagstaff have made a thorough canvass of the District and a goodly attendance is assured.

From Denver the party goes to Los Angeles for a two-day meeting on Thursday and Friday, November 12 and 13. There District Director Calvin Smith, KFAC, and Sales Managers Chairman Charles Storke, KTMS, and Lawrence W. McDowell, KFOX, President of the Southern California Broadcasters Association report a lot of enthusiasm.

Programs for Victory

"Commando Corps of the Court of Honor" is the title of a highly successful war stamps and bonds sales program.

Up to October 13, as the result of this program, Jack Gelzer of WKBW-WGR, Buffalo, reports that the good work with the kids has resulted in turning over $192,000 to Uncle Sam—cash, not pledges.

Because programs which sell this kind of volume are out of the ordinary, we have asked the station for details which appear below:

Commando Corps of the Court of Honor

I. THE COMMANDO CORPS

- A. An organization of nine- to fifteen-year old boys and girls committed to the sale of United States War Bonds and Stamps.
  - 1. Original unit of ten members selected from dramatic staff, scout troops, or similar youth organization.
- B. MEMBERSHIP
  - 1. Sales of ten dollars is required for membership to prove sincerity of volunteer's enlistment.
  - 2. Recruit is officially accepted into Corps when he takes Commando Corps Oath.
  - 3. Group expands by volunteers.
  - 4. Total membership is unlimited but growth and expansion of the Corps should not be too rapid.
- C. INDUCEMENTS TO MEMBERSHIP
  - 1. Official Commando Corps Armband
    - a. Bright red felt.
    - b. Royal blue insignia—chevrons, stars, bars.
    - c. White lettering of "Commando Corps" in quarter arc above insignia. "Court of Honor" on horizontal plane below insignia. Call letters at right and left of insignia.
  - 2. Radio Broadcast (thoroughly covered under (II) Court of Honor).
- D. RANK AND SALES NECESSARY FOR PROMOTION

Rank	*Total Sales*
Corporal	$ 25
Sergeant	75
Staff Sergeant	175
2nd Lieutenant	375
1st Lieutenant	675
Captain	1,175
Major	2,000
Lt. Colonel	2,500
Colonel	3,000
Brigadier General	4,000
Major General	5,000
Lt. General	10,000
General	20,000

- E. PROMOTIONS
  - 1. Promotion of but one rank permitted each week.
  - 2. Sales are accumulative, i.e., Commando does not lose credit for sales over and above his quota necessary for next rank, but the excessive amount is credited toward next promotion.
    - a. Bond Sales are credited at cost price—not maturity value.
  - 3. An accounting of all sales is kept by one staff member to maintain an accurate record of each individual's sales.
  - 4. Variation in amounts, necessary to attain various ranks, eliminates possibility of all Corps Members progressing through the ranks as a unit. All ranks add to the glamour, incite the spirit of competition and pride.

II. THE "COURT OF HONOR" (Broadcast)

- A. TIME
  - 1. Early evening preferred
  - 2. 30 Minutes
  - 3. Once weekly
- B. TALENT
  - 1. Orchestra and Soloist
  - 2. Two or more announcers
  - 3. Army Officer to act as Commanding Officer of Commando Corps.
- C. LOCALE
  - 1. Auditorium Studio
- D. COST
  - 1. Variable

Court of Honor Routine

Effect:	Drum Roll (Fade For).
Commando:	I am a Commando of the Court of Honor. It is my duty to sell War Bonds and Stamps. It is your privilege to buy them.
Music:	Introduction to Theme:
Announcer:	The Commando Corps presents its Court of Honor!
Music:	Theme: March of the Commandos.
Announcer:	Program Introduction.
Music:	Fanfare.
Commando:	Explanation of program.
Music:	Patriotic number.
Commando:	Explanation of how to become a member of the Commando Corps.
Music:	Fanfare.
Announcer Orderly:	Preparation for Sales Reports. Military Routine. Introduction of Commanding Officer.

Commanding Officer:	Recognizes Orderly . . . Asks for Sales Reports.
Announcer Orderly:	Calls Roll for first half of Corps.
Commandos:	Reports his presence and makes individual Sales Report, followed by appropriate comment from Commanding Officer.
Music:	Patriotic number.
Announcer Orderly:	Continues Sales Reports. Reports Week's Sales and Grand Total.
Commanding Officer:	Brief talk on men or materials affected by Sale of War Stamps and Bonds.
Commando:	Appeal for support of public and tie-in description of Armband.
Music:	Patriotic number.
Announcer Orderly: Commanding Officer:	Induction of new members.
Commandos:	Each Commando identifies himself.
Announcer Orderly:	Now raise your right hands and repeat after (Commanding Officer) the Commando Oath!
Commanding Officer:	I take this oath . . . To aid My Country . . . To the best of my ability . . . To respect my rank . . . As a Commando of the Court of Honor . . . To preserve the ideals . . . On which this Court was founded . . . And to be a loyal American in thought and conduct. (Commandos repeat each line after Officer.)
Commanding Officer:	Brief address to new members.
Commando:	Lead group in pledge to the Flag.
Commando:	Star Spangled Banner.
Music:	National Anthem.
Announcer:	Next week the Commando Corps will again broadcast its Court of Honor. Listen next Saturday at seven when you will hear:
Commando:	I am a Commando of the Court of Honor. It is my duty to sell War Bonds and Stamps. It is your privilege to buy them.
Music:	March of the Commandos.
Announcer:	Sign off.
Music:	Theme up to end.

TIRE RATIONING

Passenger cars used by "executives, engineers, technicians and workers" in the communications industry (which includes radio broadcasting) are eligible for retreading and recapping of tires and for new inner tubes under the Tire Rationing Regulations issued by the Office of Price Administration. The provisions relative to retreading and recapping are found under List B (a) (3) of the regulations effective February 19, 1942, and the provisions as to new inner tubes are found under Amendment No. 4 to the regulations effective April 10, 1942.

"The eligible classes in List B are not automatically qualified to purchase retreaded or recapped tires," Mr. Henderson has said. "The regulations require anyone on List B to establish to the satisfaction of the local board that his car is used exclusively on service essential to the community and to the Nation."

Appeal from decision of a local board should be taken by letter to the State Rationing Administrator at the State capital.

The above corrects the article on Tire Rationing appearing on page 594 of NAB REPORTS of October 9, which should have read that buses used by workers in the communications industry are eligible for new tires.

SCHOOL BROADCAST CONFERENCE

The annual Chicago School Broadcast Conference is scheduled for Wednesday and Thursday, November 11 and 12. Tentatively scheduled as speakers on the two-day program are Vice President Henry Wallace and Elmer Davis, Director of the Office of War Information. Lt. Col. Edward M. Kirby, head of the Radio Branch of the War Department's Bureau of Public Relations and former NAB Director of Public Relations, will also speak, as will Thomas D. Rishworth, NBC; Leon Levine, CBS; Erik Barnouw and Allan Nevins, Columbia University; Mildred Batchelder of the American Library Association; Prof. John Frederick of Northwestern University and Nelson Olmsted, producer of "World's Greatest Stories" on NBC.

A most interesting program including panel discussion of topics of deep interest to educators and broadcasters is scheduled.

TELEPHONE PRIORITIES

The New York telephone company reports that all went smoothly the first day of priorities on long distance calls in New York City. Only 33 priority calls were made, and regular service was uninterrupted. Broadcasters are entitled to make priority calls when essential to the war effort.

COMMISSION "FREEZING"

The Treasury Department says that the *rate*, not the amount, of commissions is "frozen" under the recent salary stabilization order. The same system, presumably, would apply to bonuses based on a percentage of income, profits, etc.

PER INQUIRY AND FREE TIME

Huber and Sons, 699 Madison Ave., New York City, offer two per-inquiry deals for books, "The Modern Home Physician" and "The World's Greatest Books."

Stephen Powers Shoemaker, Halliburton Bldg., Los Angeles is attempting to sell Frederick Murphy's book, "How to Pay Taxes and Live" on a booking order at daytime rates or on a per-inquiry basis.

The Curtiss Candy Co. seeks free time to publicize their efforts to aid the scrap metal drive.

READ FORTUNE SURVEY

A survey on a radio subject appearing on page 20 of November, 1942, "Fortune" should be read by all broadcasters. It will give you the kind of a surprise you like to get.

CAPT. HARDER FROM WESTINGHOUSE

It's now Captain George A. Harder, Chemical Warfare Service, Edgewood Arsenal, Maryland.

Until next week, when he will report for active duty, Captain Harder is still on the job as advertising and publicity manager of Westinghouse Radio Stations.

SENOR MUNIZ VISITS NAB

Recent visitor at NAB headquarters was Felix Muniz, manager, WIAC, San Juan, Puerto Rico, of which Enrique Abarca is owner. WIAC is a member of the National Association of Broadcasters.

Senor Muniz said that the NAB course, Fundamentals of Radio, was being taught at the University of Puerto

Rico, days, and that another radio class was taught, nights, at Central High School, Santurce.

RADIO PLAQUE

At the Cleveland convention radio station WGAR presented the broadcasters with an attractive pin bearing the words, "Radio—In Service of Home and Nation." A replica of this pin in the form of a plaque, 12 inches in diameter, has been made. Neville Miller is carrying a copy of this with him on the tour of District meetings where it is exhibited. Any broadcaster desiring one of these plaques may secure it by addressing an order to NAB enclosing a check for $5.00. These make a splendid decoration for the lobby of a radio station or in the manager's office. We will be very glad to hear from any broadcasters interested.

OWI SHORT WAVE

The OWI and Office of the Coordinator of Inter-American Affairs announced the government has leased the short wave broadcasting facilities of five companies for the duration of the emergency. In an official statement the government agencies said:

Under the terms of the lease, the broadcasters are to continue operating their facilities, without profit, in return for which the government will pay the cost of operations. In effect, the government is buying the shortwave broadcast time from the five companies for the duration of the emergency.

The United States, for the period of the war, will use these facilities for preparing and transmitting its own short wave programs. The government has arranged to build certain of its short wave programs in collaboration with the programming staffs of the Columbia Broadcasting System and the National Broadcasting Company.

The facilities of the ten stations operated by the five companies involved in the leasing transaction will serve as a nucleus for the government's short wave expansion program which, according to present plans, calls for the construction of twenty-two additional short wave transmitters.

The purpose of the government's action is two-fold. First, it will materially improve reception of United States short wave broadcasts all over the world thereby effectively increasing the listening audience. Secondly, it will improve the quality of short wave programs by the coordination of news and other material broadcast for international consumption.

The companies which have leased their international broadcasting facilities to the government are the Columbia Broadcasting System, the Crosley Corporation, the General Electric Company, the National Broadcasting Company and Westinghouse Radio Stations, Inc.

The ten short wave stations owned by these companies are:

Columbia Broadcasting System Stations:
Location: New York
WCRC
WCBX
WCDA

Crosley Corporation Station:
Location: Cincinnati
WLWO

General Electric Company Stations:
Location: Schenectady
WGEO
WGEA

General Electric Company Station:
Location: San Francisco
KGEI

National Broadcasting Company Stations:
Location: New York
WRCA
WNBI

Westinghouse Radio Stations, Inc. Station:
Location: Boston
WBOS

Negotiations for the government were conducted jointly by the Office of War Information and the Office of the Coordinator of Inter-American Affairs. Two-thirds of the time leased from the radio companies will be used by the Overseas Division of the Office of War Information headed by Robert E. Sherwood. The remaining time will be used by the Information Department of the Office of the Coordinator of Inter-American Affairs, headed by Wallace K. Harrison, which will broadcast programs to the other American republics.

Elmer Davis, Director of the Office of War Information, in commenting on the agreement, said:

"International Radio Broadcasting is an important weapon in this war. This fact has been proved by our enemies. They use this weapon constantly and powerfully. Their ammunition is falsehood. Our ammunition is truth.

"The various shortwave broadcasters are showing a fine sense of public service in cooperation with the government in this emergency. This cooperation will continue. We expect to increase our broadcasting facilities so that the voice of America will be heard clearly by our allies and our enemies, and neutral nations everywhere.

"One of the most important aspects of our shortwave broadcasting is programs of news from home sent to our own forces in all parts of the world."

Nelson A. Rockefeller, Coordinator of Inter-American Affairs said:

"Short wave broadcasting is of great importance in the inter-American program, for it is a significant medium of communication among the allies and neighbors of the new world.

"Hemisphere cooperation can have real meaning only with the fullest participation of the people of the 21 American republics. Such participation is dependent upon wide knowledge and understanding, which can be materially fostered by improvement and expansion of short-wave broadcasting facilities.

"These new agreements, reached with the fullest cooperation of the radio industry, signal an important step forward toward the inter-American goal."

FEDERAL LEGISLATION

HOUSE RESOLUTION

H. Res. 564 (Gehrmann, R.-Wisc.) INVESTIGATION OF SALE OF RADIO TIME—To investigate alleged discrimination against cooperatives and others by major broadcasting companies in the sale of radio time. Referred to Committee on Rules.

FEDERAL COMMUNICATIONS COMMISSION

WAKEFIELD DISCUSSES ISSUES

Following is part of a speech made by Commissioner Ray C. Wakefield in San Francisco on October 30:

At the present time there are certain controversial issues in the broadcasting field to be decided by the courts and the Commission. I refer particularly to the chain broadcasting or network regulation, the radio-newspaper inquiry, and the Petrillo controversy. The network regulations were adopted over a year ago and while some of them have been placed into effect voluntarily by the networks, they are not legally binding as regulations pending the outcome of litigation testing the Commission's power to issue them. The regulations were issued after considerable complaint of network practices and after extensive hearings.

Without going into any detailed discussion of these rules, I would like to discuss them briefly and the philosophy underlying them. These rules were designed to prevent monopoly by the networks in the control of radio time, first through the ownership of too many stations, and second, through the type of affiliation contracts offered non-owned stations. In prevailing contracts, the networks would so tie up the individual stations that it would be impossible for a station to take the programs of another network even though it had free time and the program, no matter how popular or meritorious, was not being broadcast in its community. They also prohibit the broadcasting of non-network programs of local interest such, for example, as a Commonwealth Club meeting, if the network required the time, no matter how great the importance of the local broadcast. The licensee's freedom of selecting programs was curtailed and the possibility of additional networks was severely limited. In its regulations, the Commission sought to prevent stations from entering into contractual relationship with networks which made it impossible for them to fulfill their duty in the public interest, as the station licensee might determine what was the public interest for his community. Incidental to this purpose, there was the desire to stimulate or, at least, permit the growth of other networks. I must emphasize this point because of the argument commonly made by the existing networks that the Commission seeks to destroy network broadcasting. Nothing is further from the truth except perhaps another charge that those rules are some sort of forerunner of government operation of radio. I am satisfied that all of the benefits of the present network system can be retained without its handicap of monopolistic practices and that the result of the adoption of these rules will be a freer and more independent broadcasting industry. They are, in fact, just about as much a prelude to government operation as is the Sherman Anti-Trust Law.

Another issue in broadcasting which has engaged the attention of the Commission is the question of what restrictions, if any, should be placed upon the privilege of a newspaper or persons associated with newspapers to hold interests in a station license. This problem was brought to the attention of the Commission in part by the numerous applications of newspaper interests for FM stations and also by Congressional complaints of monopoly of radio. Hearings were held on this question during the summer and fall of 1941, but no decision has been made in this matter.

On the one hand the arguments are made that newspapers do not operate radio stations as independent media of public expression but rather that the newspaper-owned station tends to become an adjunct of the newspaper and a supporter of its editorial policy. Those who hold this view point out that the number of licensees of radio stations is limited by the number of available frequencies. They believe it desirable that the control of the media of public expression—the pipelines of information into the market place of thought, as described by one witness—be as diversified as possible and, therefore, they think it is better that further licenses should not be issued to newspapers. The proceeding does not contemplate the revocation of existing newspaper-held licenses.

On the other hand, it is contended that radio is in one sense a development of the work of the newspaper as a purveyor of public information and intelligence and that it is inequitable if not a violation of the principles of freedom of press to deny the right to hold licenses to the owners of newspapers. This, of course, is a very broad view of the issues and does not attempt to discuss the evidence or to indicate which view I consider the correct one since this matter is now before the Commission for decision.

The Commission's interest in the activities of the American Federation of Musicians, headed by James C. Petrillo, is twofold, namely, in the Union's action with reference to broadcasts by amateur musicians and its ban on recordings and transcriptions. One of the first matters which came to the Commission's attention was the cancellation of a broadcast by the National High School Symphony Orchestra from the Music Camp at Interlochen, Michigan, in the early summer.

Each summer the students at this camp are organized into a symphony orchestra, and a number of the country's leading symphony conductors visit the camp and assist in their training. The broadcast by the High School Symphony Orchestra scheduled over the network of the National Broadcasting Company on July 11 of this year was cancelled. The Commission received many complaints.

Inquiry of all broadcasting stations has developed the fact that there have been other instances where amateur musicians have been kept off the air or permitted to broadcast only if professional standbys were specially employed for the occasion.

With reference to recordings and electrical transcriptions, I understand that the musicians' principal objection to the use of recordings and transcriptions on the radio is that they compete with live musicians and thus decrease the opportunities that musicians have for employment in the radio broadcast field. Mr. Petrillo, in a letter to the Commission, urges that this is something more than the usual objection which labor unions have raised to technological changes which create unemployment. He says that here the situation is unusual because the very devices which compete with live musicians are made by the musicians themselves.

The efforts of musicians to prevent the use of recordings and transcriptions are not new. In 1931 the Chicago Federation of Musicians, of which Mr. Petrillo was then president, called a strike of Chicago radio musicians effective at midnight New Year's eve. The strike had for its purpose, among other things, barring broadcasting of recordings for commercial purposes. The strike was settled when the Chicago broadcasters agreed to a reduction in the working hours of musicians.

Beginning in 1936 a series of suits were filed with the view to establishing that musicians have the right to prevent the unauthorized broadcasting of their recordings. The musicians urged that if a record was made for use only on home phonographs and so labeled, it could not be used for broadcasting. This contention prevailed in the Supreme Court of Pennsylvania. However, the United States Circuit Court of Appeals for the Second Circuit, subsequently decided otherwise.

In January 1937 the Chicago Federation of Musicians announced that effective February 1st it would not permit its members to make recordings of any kind, including transcriptions, except under such restrictions and upon such conditions as the Federation's executive board should deem best calculated to end "for all time the menacing threat of canned music competition," but again there was a settlement when the networks and their affiliates who had been spending $3,500,000 yearly in wages to musicians agreed to boost the total by $2,013,000, an increase of nearly 60 percent, which provided jobs for about 1,000 more union players.

The quota agreements expired early in 1940 and another strike was threatened. However, an armistice was reached in the early part of January and while no new contracts were entered into relations were continued on the basis of the quota agreements.

In July 1940, Petrillo who had been and still is head of the Chicago Union succeeded Joseph Weber as national president of the A. F. of M. At the convention held the following year the executive board was ordered to take action against recorded music. This culminated in Petrillo's announcement at the convention held in June of this year that effective August 1 members of the A. F. of M. would stop making records except for home consumption. The musicians apparently realized, however, that in view of the decision of the Second Circuit Court there is no way of guaranteeing that once a record is made it will not be used for broadcasting purposes. Accordingly, Mr. Petrillo's letter of June 25 to the recording companies extended the ban to the making of any mechanical reproduction of music.

The jurisdiction of the FCC is extremely limited in this matter since we deal only with radio licensees. However, we are deeply interested in the effect of the ban upon radio programs as it affects the ability of stations to stay in business and render the best service. You may feel that you do not like recorded or transcribed programs. As a matter of fact, they can be very good—so good you cannot tell them from a live program. In any event, to the extent that they are necessary or desirable there should be no artificial handicap to the best possible recordings and transcriptions. The Commission's study elicited the fact that over 40 percent of the average station's total broadcast time is devoted to recorded music, and that the small non-network station depended on records for most of its program material. Much more than full time musical programs is involved as transcribed programs with only a musical background or interlude are involved as well as transcribed background for live programs.

In addition to appearing before the Senate Committee, the Commission prepared evidence in affidavit form for use by the Department of Justice in its antitrust suit to enjoin Petrillo from enforcing the order prohibiting members of the Union from making records. An injunction was refused by the Federal District Court in Chicago on October 12 on the ground that the matter was essentially a labor dispute and that under earlier decisions of the Supreme Court the Anti-Trust Law did not apply to labor unions under certain conditions. However, the Department of Justice is considering an appeal in this case, and the Senate has authorized an investigation of the situation and has made an appropriation for that purpose. New legislation may result from this investigation. In any event, I'm sure we have not heard the last of the Petrillo case.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 9. They are subject to change.

Thursday, November 12

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—C. P. to install new transmitter, **1230 kc.,** 250 watts, unlimited.

Friday, November 13

WINK—Mid-American Broadcasting Corporation, Louisville, Ky. —Modification of C. P., **1080 kc.,** 1 KW night, 5 KW day, unlimited, DA-day and night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

MEETING POSTPONED

The regular Tuesday meeting of the FCC was postponed this week because of national elections. The meeting is slated to be held Friday of this week.

ACTION ON DOCKET CASE

The Commission has adopted an order making final its Proposed Findings of Fact and Conclusions (B-152), granting the application for renewal of license of Puerto Rico Advertising Co., Inc. (WPRA), Mayaguez, Puerto Rico (Docket No. 5929). In the same order the Commission denied the applications of Puerto Rico Advertising Co., Inc., for construction permits for new standard broadcast stations at Arecibo, Puerto Rico (Docket No. 5930), and at San Juan, Puerto Rico (Docket No. 5938), and also denied the application of Caribbean Broadcasting Association, Inc., for a construction permit for new standard broadcast station at San Juan, Puerto Rico (Docket No. 5898).

MISCELLANEOUS

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted construction permit to install new sampling loops (B2-P-3514).

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted modification of construction permit, as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter, for change in type of transmitter, and change in type of frequency and phase monitors (B3-MP-1658).

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted license to cover construction permit which authorized move of transmitter (B5-L-1717); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1451).

WRNL—Richmond Radio Corp., Richmond, Va.—Granted license to cover construction permit for changes in directional antenna for night use (B2-L-1719); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1454). Granted license to use directional antenna as specified under construction permit (B2-L-1720); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1455).

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted license to cover construction permit as modified, for increase in power, change in hours of operation, move transmitter, installation of new transmitter and directional antenna for night use (B2-L-1712).

KGCX—E. E. Krebsbach, Sidney, Mont.—Granted license to cover construction permit for move of transmitter and studio, and make changes in antenna (B5-L-1706); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1436).

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted authority to determine operating power by direct measurement of antenna power (B2-Z-1446).

WENM—The Evening News Assn., Area of Detroit, Mich.—Granted renewal of relay broadcast station license for the period ending not later than October 1, 1944 (B2-RRY-122).

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than December 1, 1942:

KBTB, Red River Broadcasting Co., Inc.; KGBK, Helen Townsley; WAEA, W. A. Patterson; WAFK, A. Frank Katzentine.

APPLICATIONS FILED AT FCC

610 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—License to cover construction permit (B-P-3436) as modified, for increase in power and new transmitter.

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Authority to determine operating power by direct measurement of antenna power.

640 Kilocycles

WCLE—United Broadcasting Co., Cleveland, Ohio.—Construction permit (B2-P-2834) to install new transmitter and directional antenna for day and night use, change frequency from **610 kc.** to **640 kc.,** increase power from 500 watts to 50 KW, change hours of operation from daytime to unlimited time, move transmitter from Pleasant Valley Road, Village of Seven Hills, Ohio, to near Sharon Center, Ohio, Class II station. Amended: to request modification of license to change frequency from **610 kc.** to **640 kc.,** change hours of operation from daytime to limited time, and omit request for move of transmitter, directional antenna and increase in power, and new transmitter.

790 Kilocycles

WWNY—The Brockway Company, Watertown, N. Y.—License to cover construction permit (B1-P-3265) as modified, for installation of directional antenna for night use, change frequency, increase power, change hours of operation, and move transmitter.

WWNY—The Brockway Company, Watertown, N. Y.—Authority to determine operating power by direct measurement of antenna power.

820 Kilocycles

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Transfer of control of licensee corporation from Aurelia S. Becker as Administratrix of the Estate of Frank V. Becker to Aurelia S. Becker (125 shares 50%).

830 Kilocycles

WNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Special Service Authorization to operate from 6 a. m. to 10 p. m., with power of 1 KW.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Georgia.—Modification of construction permit (B3-P-3043, as modified, which authorized change in frequency, increase in power, installation of directional antenna for day and night use, and move transmitter) for extension of completion date from 11-6-42 to 1-6-43.

1240 Kilocycles

WJW—WJW, Incorporated, Cleveland, Ohio.—Modification of construction permit (B2-P-3263, as modified, which authorized installation of new transmitter and directional antenna for day and night use, increase power, change frequency, and move transmitter) to change proposed location of transmitter from on East side of Akron-Boston Mills Road, Northampton Twp., Ohio, to N.W. of intersection of Ohio State Highway No. 94 and Walling Road, Cuyahoga County, Ohio, change type of transmitter, move studio from 41 S. High St., Akron, Ohio, to 815 Superior Ave., Cleveland, Ohio, make change in directional antenna for day and night use and extend commencement and completion dates from 8-15-42 and 1-13-43 to 60 days after grant and 180 days thereafter respectively.

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924, which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter) for extension of completion date from 11-23-42 to 5-1-43.

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100, as modified, which authorized installation of directional antenna for day and night use, and increase night power) for extension of completion date from 11-16-42 to 12-16-42.

1300 Kilocycles

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—License to cover construction permit (B4-P-3269) as modified, for changes in directional antenna for night use, install new transmitter, and increase power.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Authority to determine operating power by direct measurement of antenna power.

1400 Kilocycles

KVGB—Helen Townsley, Great Bend, Kansas.—Authority to determine operating power by direct measurement of antenna power.

1590 Kilocycles

WAKR—Summit Radio Corporation, Akron, Ohio.—License to cover construction permit (B3-P-3038) as modified, for increase in power, changes in directional antenna for night use only, and install new transmitter.

WAKR—Summit Radio Corporation, Akron, Ohio.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATION

WBIG—North Carolina Broadcasting Co., Inc.—Construction permit to install new transmitter, new directional antenna system for day and night use, change frequency from **1470 kc.** to **640 kc.**, increase power from 5 KW to 50 KW, and move transmitter from near Greensboro, N. C., to north of Kearnersville, N. C. Amended: to make changes in licensed directional antenna for night use, and omit request for move of transmitter, new transmitter, and increase in power.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

American Viscose Corp., 350 Fifth Ave., New York, one of the world's largest producers of rayon yarn, is charged in a complaint with misrepresentation in the sale of its products. (4862)

Bristol-Myers Co., Rockefeller Center, New York, distributor of Ipana tooth paste; Pedlar & Ryan, Inc., and Young & Rubicam, Inc., both advertising agencies for the Bristol-Myers Co., are charged in a complaint with misrepresentation. Pedlar & Ryan, Inc., 250 Park Ave., and Young & Rubicam, Inc., 285 Madison Ave., New York, are advertising agents and have participated in the preparation and dissemination of the advertising matter to which reference is made in the complaint. (4861)

J. A. Folger & Company—Misrepresentation in the sale of coffee is alleged in two complaints, one against J. A. Folger and Company, a California corporation with offices at 101 Howard St., San Francisco, and the other against J. A. Folger & Company, a Nevada corporation, with offices at 330 West 8th St., Kansas City, Mo. (4859-4860).

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bee-Dew Cosmetic Company—An order to cease and desist from misrepresentation in the sale of "Bee-Dew" cosmetics, recommended as hair and scalp treatments, has been issued against Vivian S. Nash, trading as Bee-Dew Cosmetic Co., 703 East Forest Ave., Detroit. (4811)

United Drug Co., Boston, has been ordered to cease and desist from selling cosmetics in packages which mislead and deceive purchasers as to the quantity of the product contained therein. (3729)

Utah Beverage and Distributing Co., Salt Lake City, Utah, selling and distributing merchandise including candies, gum, clocks, and handkerchiefs, has been ordered to cease and desist from the use of lottery methods in the distribution of their products. (4591)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Armi Mineral Water Co., 1711 Jefferson Ave., Toledo, Ohio, stipulated that he will cease and desist from misrepresentations concerning the therapeutic value of a preparation he sells under the name "Armi Mineral Water," which consists of city tap water supplemented by certain minerals in small quantities and by a relatively larger portion of sodium sulphate and through which has been conducted a current of electricity. (3553)

Beechams Pills, Inc., Bloomfield, N. J., and Atherton & Currier, Inc., New York agency which disseminates advertisements for the product, stipulated that they will cease and desist from disseminating any advertisement which fails to reveal that the product should not be used when abdominal pain, nausea, stomach sickness, or other symptoms of appendicitis are present; provided, however, that such advertisements need only contain the statement "Caution: Use only as directed," if the directions for use, wherever they appear on the label or in the labeling, contain a warning to the same effect. (03068)

Benco-Forman Sales Co., Inc., 21 Maiden Lane, New York, engaged in the sale of radios, washing machines and electrical appliances, has entered into a stipulation to cease and desist from representing that it is a distributor; that the prices at which it sells its merchandise are wholesale prices; that firms to which it introduces prospective customers sell their merchandise at wholesale prices; that it is a cooperative buying or purchasing organization; or that it is a representative of or purchasing agent for an association of cooperative buyers. (3554)

Completex Manufacturing Corp., 221 East 38th St., New York, engaged in the sale of an insecticide designated "Completex Powder," stipulated that it will discontinue representing that one application of the preparation will rid premises of infestations by roaches, ants or other insects for one year or any other length of time in excess of the time that such preparation can be depended upon to control such infestations, or that the preparation destroys the eggs of insects or can be depended upon to destroy their larvae. (3552)

Man-O-Ree Products, Greensboro, N. C., has entered into a stipulation to cease and desist from representing that the preparation he sells under the name "Man-O-Ree" is an aid to digestion; will rid the system of poisons or gases; can be relied upon to relieve gastric disturbances, heartburn, stomach disorders, nervousness, and insomnia; possesses the rebuilding qualities of a tonic, and is capable of having any deleterious effect on the digestive organs.

The respondent also agrees to discontinue use of any advertisement which fails to reveal that the preparation should not be used when abdominal pains, nausea, or other symptoms of appendicitis are present and that its frequent or continued use may result in dependence on laxatives; provided, however, that such advertisement need contain only the statement "Caution: Use only as directed," if the directions for use, wherever they appear on the label or in the labeling, contain warnings to the same effect. (03067)

Maywood Publishing Co., 1107 Broadway, New York, and E. D. Debout, Marion, Ky., entered into identical stipulations with the Federal Trade Commission to discontinue certain misrepresentations in connection with the sale of a booklet designated "Bargain Buyers' Guide," containing a classified compilation of numerous articles of merchandise together with the names of the sellers, and several pages of "unusual bargains." (3555-3556)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 45, November 13, 1942

Broadcast Industry on Full War Basis, December 1

The FCC, acting on proposals of the War Production Board and recommendations of the Board of War Communications, on November 6 adopted new regulations which in effect place the industry on a full wartime operating basis.

The new regulations, effective December 1, make it mandatory for all standard broadcast transmitters to reduce carrier power by one decibel. The required operating day for unlimited time stations is reduced from twelve hours to six hours daily. Stations are permitted "in an emergency, due to causes beyond the control of the licensee, when it becomes impossible to continue operating, the station may cease operation for a period not to exceed ten days, providing the Commission and Inspector in Charge shall be notified in writing immediately after the emergency develops," this clause is retained in Section 3.71 of the Rules and Regulations as revised.

Order Number 107 directs changes in the methods of determining the carrier power of transmitters. Stations using indirect power measurement are assigned new factors for determining the operating power from the plate input power. Stations using the direct measurement of power are assigned the factor of 1.26 for the determination of the antenna resistance value. The new factors, when applied, have the effect of decreasing the actual carrier power by one decibel.

In order that transmitters may be properly adjusted to secure the maximum conservation of tubes and other components the Commission has issued the "Manual on the Adjustment of Standard Broadcast Transmitters." The Manual stresses the importance of proper calibration and operation of the program limiting amplifier. Intelligent use of the "limiter" will offset the slight decrease in carrier power without resulting in objectionable compression or distortion.

The Commission's press release, copies of which were forwarded to all NAB members on November 7, mentions tests conducted by the Commission prior to the adoption of the Order. On alternate days, the carrier power of the stations used for the tests were reduced one decibel. "Listeners, aware of the tests, were unable to determine when the power was reduced and when it was not. Some of them reported improved reception during the period when the reduction was in effect." Not a single complaint was received from listeners as a result of the operation on reduced power.

Immediately upon the release of the new regulations the NAB Engineering Department contacted the manufacturers of broadcast transmitters. It was pointed out to the manufacturers that owing to the limited technical personnel available, some stations may have difficulty in properly readjusting their transmitters. It was suggested that the manufacturers make available specific instructions for the readjustment of each type transmitter in accordance with Order Number 107. Copies of the order and the manual were forwarded to the manufacturers in order that these specific instructions could be made available with a minimum of delay. Station engineers should immediately review the order and the manual so that possible difficulties can be anticipated well in advance of the effective date.

Order Number 94-A permits the voluntary reduction in hours of operation. The order also repeals Number 94 which had previously permitted a minimum daily operation of twelve hours.

The Commission did not take any action on the plan for the voluntary pooling of equipment which has been under consideration for some time.

DISTRICT 14 MEETING

Since the Fourteenth District of NAB embraces a much larger geographical area than any other district, the unusually large attendance of forty-nine broadcasters, government and industry representatives at the two-day meeting reflects the intense desire of radio stations in this district to cooperate to the fullest extent in the war effort. The opening session was called to order in Denver at 10:00 a.m. on Monday, November 8, 1942, by District Director Ed Yocum of KGHL.

During the first day, Carl Haverlin of the Office of War Information and Robert B. Hudson of the Rocky Mountain Radio Council, and Regional Consultant for OWI, presented the new plan that is designed to become operative on January 1, 1943. Following a question-and-answer period, the broadcasters unanimously endorsed the proposal.

Other speakers at the opening session were: Lt. Col. R. G. Walters, commander of Security District No. 7; Lt. Comdr. Lloyd E. Yoder, Public Relations Officer for Colorado for the Navy; Major L. G. Ruth, Public Relations Officer at Bulkley Field, Denver; and Major Howard Peterson, Chief, Radio Branch, Public Relations Bureau, Seventh Service Command.

At the luncheon meeting, Mrs. Dorothy Lewis, whose regular travels happened to coincide with the Fourteenth District meeting in Denver, spoke briefly on her meetings with listener groups across the country. She emphasized that listeners are increasingly interested and sometimes critical of the promotion of the war effort over the radio. She spoke, too, of the growing discussions among listeners of the post-war world and the part that radio will play in the readjustments after the war. Following Mrs. Lewis, Earl J. Glade of KSL voiced an impassioned plea for a more intelligent handling of the announcements and programs of the various government agencies and departments devoted to the prosecution of the war. He

(Continued on page 644)

NAB Reports
The National Association of Broadcasters
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

DISTRICT 14 MEETING

(Continued from page 643)

stressed the critical part which broadcasting plays and can play in the war effort.

During the afternoon meeting of the first day, Eugene Carr of the Office of Censorship urged more detailed study of the Code and cited examples of good and bad judgment on the part of radio station operators in the interpretation of the Code. Following a presentation of the facts in the AFM-Petrillo problem, the broadcasters unanimously endorsed the NAB stand.

Several resolutions were adopted. One resolution suggested a network radio forum program upon which Petrillo himself, representatives of affected industries and government officials would be invited to participate. Another expressed appreciation to the Denver broadcasters for their work in connection with arrangements for the convention. A memorial resolution expressing regret at the untimely death of C. G. Phillips of KIDO, Boise, was unanimously passed. Regret at the absence of Frank Hurt of KFXD, due to illness was expressed in a resolution. Still another resolution expressed appreciation to the representatives of the various government departments who participated in the program. These included Carl Haverlin, OWI; Bob Hudson, Defense Savings Staff; Ralph Block, Office of Civilian Defense, Gene Carr, Office of Censorship; Major Howard Peterson of the Seventh Corps Area and other government and military representatives.

The second-day meeting was devoted to sales problems with W. E. Wagstaff of KDYL, District Chairman of the Sales Managers, in charge of the meeting. The morning meeting was devoted to a panel discussion of pre-arranged topics, followed by a presentation of the Retail Promotion Committee plan to increase the percentage of retail advertising budgets spent in broadcast advertising. At the luncheon meeting, Lewis H. Avery spoke on "Good Taste in Radio Advertising." The afternoon meeting was devoted to a discussion of local sales problems with emphasis on the development of new business to meet the new conditions imposed by war.

Following is a list of those in attendance:

Lewis H. Avery, NAB; Frank Bishop, KFEL; Milton Blink, Standard Radio; Ralph Block, Office of Civilian Defense; Boyd Braithwaite, KIDO; Ed J. Broman, KSL; Eugene Carr, Office of Censorship; V. W. Corbett, KVOD; T. C. Ekrem, KVOD; Henry H. Fletcher, KSEI; Ruth A. Fletcher, KSEI; S. S. Fox, KDYL; Mrs. Florence M. Gardner, KTFI; Earl J. Glade, KSL; E. J. Gough, SESAC; Wm. C. Grove, KFBC; Ralph W. Hardy, KSL; George C. Hatch, KLO-KOVO-KEUB; Donald Hathaway, KDFN; Carl Haverlin, OWI-BMI; Con Hecker, KVOD; Rex Howell, KFXJ; Robert B. Hudson, Rocky Mountain Radio Council; Mrs. Dorothy Lewis, NAB; James R. MacPherson, KOA; Neville Miller, NAB; C. C. Moore, KOA; A. J. Mosby, KGVO; Holly Moyer, KFEL; Gene O'Fallon, KFEL; R. H. Owen, KOA; Major Howard Peterson, Chief, Radio Branch, Public Relations Bureau, Seventh Service Command; Mrs. C. G. Phillips, KIDO; Jennings Pierce, NBC; G. A. Provol, KDYL; William D. Pyle, KVOD; Wally Reef, KFEL; Major L. G. Ruth, Public Relations Officer, Bulkley Field, Denver; Cecil Seavy, KFEL; C. P. Soule, KTFI-KSEI; Hugh B. Terry, KLZ; Sgt. Herb Trackman, Public Relations Office, Fort Logan, Colorado; Dan H. Vincent, KSL; Sacs Vratis, KGVO; W. E. Wagstaff, KDYL; Lt. Col. R. G. Walters, Commander, Seventh Security District; Lt. Arwin D. Way, Public Relations Office, Fort Logan, Colorado; Ed Yocum, KGHL; Lt. Comdr. Lloyd E. Yoder, Public Relations Officer, U. S. Navy.

NEW TIRE AND GAS RATIONS

The new Mileage Rationing: Tire Regulations (Ration Order 1A) and the new Mileage Rationing: Gasoline Regulations (Ration Order 5C) issued last Friday by OPA and effective November 22 put into practice the various recommendations of the President's Special Committee to study the rubber situation. These two ration orders are complementary in their operation and are designed to ration rubber and gasoline on the basis of mileage essential to actual needs.

Tires for Passenger Cars

Passenger cars are eligible for recapping, if applicant has a recappable tire carcass, otherwise for a specified grade of new tire, dependent upon total gasoline mileage ration as adjusted by the local War Price and Rationing Board at the time of application for the necessary certificate. Applicant must prove immediate need for the tire, tube or recapping service for which the application is made; that he has not abused or neglected the tire or tube which he seeks to replace or recap; that he has no excess tires for the automobile; that he has a gasoline ration currently valid under the new Mileage Rationing: Gasoline Regulations; and that he has a Tire Inspection Record, signed by an authorized tire inspector, showing that the required tire inspections have been made. The Rationing Board is required to redetermine the applicant's gasoline ration before passing upon the application. The applicant's eligibility for a tire, tube or recapping service is determined on the basis of such adjusted mileage, and not on the basis of his former allowed gasoline mileage, in accordance with the table on page 645:

Tires for Commercial Vehicles

"Sec. 1315.504. *Additional proof of need for commercial motor vehicle.* In addition to meeting all the conditions of Sec. 1315.501, an applicant for a tire, tube, or recapping service for a commercial motor vehicle must meet the following conditions:

"(a) *Certificate of War Necessity.* That he holds a currently valid Certificate of War Necessity, if required, with respect to such vehicle and that the tires have been currently inspected and passed as required by General Order ODT No. 21; and

"(b) *Importance to war effort, public health, or safety.* That the functions to be performed by the use of the tire, tube, or recapping service are essential to the war effort, the public health or the public safety. The applicant's need, standing alone, no matter how pressing, shall not be a basis for granting a certificate; and

"(c) *Comparative need.* That the issuance of the certificate to the applicant will not deprive other applicants of tires, tubes, or recapping service needed to perform functions deemed by the Board to be more essential to the war effort, public health or public safety than the functions performed by the applicant; and

"(d) *Recapping if possible.* That, if the applicant is seeking to replace a tire, it is not capable of being recapped or that it cannot be recapped for safe use at the speeds at which the applicant may reasonably be expected to operate; and

Total gasoline mileage	Kind of tire or recapping service	Kind of tube
560 or less miles per month.	Recapping service with passenger-type camelback if applicant has a recappable tire carcass; otherwise a Grade III tire.	New or used at applicant's option.
561 to 1,000 miles per month.	Recapping service with passenger-type camelback if the applicant has a recappable tire carcass; otherwise a Grade II or Grade III tire at applicant's option.	New or used at applicant's option.
1,000 miles per month or over.	Recapping service with passenger-type camelback if the applicant has a recappable tire carcass; otherwise a Grade I, Grade II or Grade III tire at applicant's option.	New or used at applicant's option.
For fleet passenger automobiles or official passenger automobiles for which interchangeable gasoline ration books have been currently issued.	Recapping service with passenger-type camelback if applicant has a recappable tire carcass; otherwise a Grade III tire.	New or used at applicant's option.

"(e) *Passenger-type tires unavailable or wasteful.* That, if application is made for a truck-type tire, a passenger-type tire of suitable size is not available, or that the use of a passenger-type tire would constitute a waste of rubber; and

"(f) *No other vehicle available.* That, if application is made with respect to a commercial motor vehicle eligible under Sec. 1315.505 (a) (List A), all other commercial motor vehicles owned or controlled by the applicant are either eligible under Sec. 1315.505 (a) (List A) or cannot practicably be used to perform the services for which a certificate is sought.

"Sec. 1315.505. *Eligibility of commercial motor vehicle*—(*a*) *List A.* A certificate for any grade or type of tire or tube, or for recapping service may be granted only for a commercial motor vehicle which meets the applicable conditions of Secs. 1315.501 and 1315.504, and which is used exclusively for one or more of the following purposes: . . .

"(9) Transporting workers (including executives, technicians, or office workers) to, from, within or between the establishments or facilities listed below, where other practicable means of transportation are not available: . . .

"(ii) Establishments or facilities of common carriers, or other carriers performing services essential to the community or to the war effort; or plants engaged in the production or distribution of light, power, electricity, gas, steam or water; or irrigation, drainage, flood control, or sanitation systems; or telephone, telegraph, radio, or other communication systems; or construction projects."

Gasoline Rationing

Under the Mileage Rationing: Gasoline Regulations, applicants for the Basic Ration (Class A coupon books) must state the serial numbers of all tires mounted (including one spare) on the vehicle for which the application is made, and the number and serial number of other passenger-type tires owned by him or by any person living in his household and related to him by blood, marriage or adoption, other than tires required to be otherwise reported.

Applications for supplemental rations are governed by Sections 1394.7703-5, which read as follows:

"Sec. 1394.7703. *Application for supplemental ration.* (a) Application for a supplemental ration may be made to a Board on or after November 12, 1942, on Form OPA R-535, by the owner or a person entitled to the use of a registered passenger automobile or registered motorcycle. A separate application shall be made for each vehicle. Application on behalf of an individual may not be signed by an agent.

"(b) An applicant shall establish the average monthly occupational mileage driven within the continental United States and required for each of the following purposes, for the three-month period beginning with the date on which such ration is required:

"(1) Driving between home and a fixed place of work in connection with the principal occupation of the applicant or principal user of the vehicle;

"(2) Driving in the course of such principal occupation;

"(3) Driving to and from or in the course of any other occupation or occupations for which the vehicle is used.

"(c) In the event that two or more passenger automobiles for which supplemental rations are desired, are owned by persons living in the same household and related to each other by blood, marriage, or adoption, all applications for supplemental rations for such vehicles shall, except for good cause shown, be submitted at the same time to the same Board. Where two or more vehicles are used in a ride-sharing arrangement of the type described in paragraph (a) of Sec. 1394.7704, a separate application for a supplemental ration shall be made for each such vehicle. Each such application shall include only the mileage driven in the vehicle for which it is made and, if such vehicles are all within the jurisdiction of one Board, all such applications must be submitted to it at the same time. If such vehicles are within the jurisdiction of different Boards, each application must be accompanied by duplicate copies of the applications for other vehicles used in such ride-sharing arrangement, and such duplicate copies shall show, if possible, the action taken by the respective Boards on the originals thereof.

"Sec. 1394.7704. *Allowance of mileage.* (a) Except as provided in paragraph (c) of this section occupational mileage shall be allowed by a Board for a purpose specified in paragraph (b) of Sec. 1394.7703 if the applicant establishes, in connection with the use of the vehicle for that purpose, either:

"(1) That a bona fide ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose of going to and from or carrying on their occupations and that transportation is needed for such purpose: *Provided*, That each person must certify to his participation in the ride-sharing arrangement by signing the application; or

"(2) That no such ride-sharing arrangement could reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which and the purpose for which it is used; that transportation is needed for such purpose; and that no alternative means of transportation are available which would be reasonably adequate for such purpose.

"(i) An applicant may establish that four or more persons cannot regularly be carried in the vehicle for which application is made by showing: the limited capacity of the vehicle; the necessity of traveling at unusual or irregular hours; the necessity of traveling over routes not feasible for other persons who might be carried; or such other reasons as the Board may find sufficient.

"(ii) An applicant may establish the lack of reasonably adequate alternative means of transportation by showing the unavailability of other public or private means of transportation; or by showing that such alternative means, if available, are inadequate by reason of location, schedules or overcrowded conditions, by reason of physical disability of the person needing transportation, by reason of the nature of the work for which transportation is needed, or for such other reasons as the Board may find sufficient.

“(3) In the event the applicant or principal user is employed at a power generation or transmission facility, public utility, transportation or communication facility, or agricultural, extractive, industrial, military or naval establishment at which more than one hundred (100) persons are employed, the application, if made for a ration to be used for transporting such applicant or principal user to and from such place of employment, must be certified as indicated thereon by an official in charge of an organized transportation plan at such establishment.

“(4) In the event application is made for a supplemental ration in order to permit the use of the vehicle for which application is made in the pursuit of an occupation other than a gainful occupation, the application must be certified, as indicated thereon, by a responsible official of the organization, if any, for or under the direction of which the work is performed.

“(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow mileage for driving within the continental United States for any of the purposes listed in paragraph (b) of Sec. 1394.7703 for which applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. The Board shall allow only that portion of the claimed mileage (in the absence of a ride-sharing arrangement) with respect to which the applicant has established the inadequacy of alternative means of transportation (in accordance with paragraph (a) (2) (ii) of this section). The Board shall then determine the total occupational mileage per month required by the applicant and allowed by it for the three-months’ period specified in paragraph (b) of Sec. 1394.7703 and shall issue a supplemental ration, in accordance with the provisions of Sec. 1394.7705, to provide such mileage: *Provided*, That the Board may not allow an average of more than 470 miles per month for any occupational mileage other than preferred mileage as defined in Sec. 1394.7706. The Board may allow an average mileage in excess of 470 miles per month only if such excess consists of such preferred mileage.

“(c) A Board having jurisdiction over an area which is adequately served by subway, elevated railroad, or railroad commutation service shall allow mileage claimed with respect to which a ride-sharing arrangement has been made only if the applicant establishes that the use of such subway, elevated railroad, or railroad commutation service would not be reasonably adequate for the purpose for which such mileage is claimed.

“(d) The Board shall deduct from the mileage it allows for a passenger automobile, in accordance with Paragraph (b) above, 150 miles per month for each additional passenger automobile (other than a fleet passenger automobile) owned by the applicant or by any person living in his household and related to him by blood, marriage or adoption, if the Board finds that such automobile is available to and adequate for the use of the applicant for the purpose for which the supplemental ration is sought. No such automobile shall be deemed available to the applicant if it is used, to a substantial extent, for an occupational purpose of another person; nor shall such automobile be deemed available to the applicant during the effective period of a supplemental ration issued to another person whose mileage allowance was reduced on account of such automobile.”

“Sec. 1394.7705. *Issuance of supplemental rations.* (a) Supplemental rations shall be issued to provide the total mileage allowed by the Board in accordance with Sec. 1394.7704.

“(1) In the case of a passenger automobile, the Board shall issue:

“(i) In the event that the mileage allowed by the Board is 470 miles per month or less: one Class B book having the valid period specified in Table I for the mileage allowed:

“(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of Sec. 1394.7704 exceeds 470 miles per month: one or more Class C books bearing expiration dates three months from the date of issuance or November 22, 1942, whichever is later, and containing the number of coupons specified in Table II for the mileage allowed.

“(2) In the case of a motorcycle: one or more Class D books (to be marked ‘Supplemental’) bearing expiration dates three months from the date of issuance or November 22, 1942, whichever is later, and containing the number of coupons specified in Table I, if the mileage allowed is 470 miles per month or less, or specified in Table II, if the mileage allowed is in excess of 470 miles per month.

“(b) The Board shall remove and cancel all coupons in Class C or Class D books in excess of the number to be issued hereunder.

“(c) For the purpose of paragraph (a) of this section, a passenger automobile is conclusively presumed to operate 15 miles and a motorcycle 40 miles, per gallon of gasoline.

“(d) No supplemental ration shall be issued by a Board unless the applicant certifies that the registered owner, or his agent, has certified that no passenger-type tires (excluding motorcycle tires but including scrap tires) are owned by the registered owner of the vehicle or by any person living in the household of such owner and related to him by blood, marriage or adoption, other than tires reported on OPA Form R-17 or R-17 Revised or reported by a manufacturer to the War Production Board, or tires mounted (including one spare per motor vehicle) on motor vehicles or equipment; and no person shall be entitled to a supplemental ration if, at the time of issuance, the registered owner or any person living in his household and related to him by blood, marriage or adoption owns passenger-type tires (excluding motorcycle tires but including scrap tires) other than tires reported on OPA Form R-17 or R-17 Revised, or reported by a manufacturer to the War Production Board, or tires mounted (including one spare per motor vehicle) on motor vehicles or equipment.

“TABLE I [1]—DETERMINATION OF DURATION AND AMOUNT OF SUPPLEMENTAL RATION

(For vehicles with an allowed mileage of more than 150 but not more than 470 miles per month)

Passenger automobile			Motorcycles	
Allowed mileage	Valid period of “B” book, in months and weeks		Allowed mileage	Number of coupons to be issued in Supplemental “D” book
	(Months)	(Weeks)		
0–150	(No “B” book)		0–150	(No Supplemental “D” book)
151–230	12	....		
231–246	10	....	151–170	1
247–270	8	....	171–190	2
271–287	7	....	191–210	3
288–310	6	....	211–230	4
311–324	5	2	231–250	5
325–342	5	....	251–270	6
343–363	4	2	271–290	7
364–390	4	....	291–310	8
391–406	3	3	311–330	9
407–424	3	2	331–350	10
425–445	3	1	351–370	11
446–470	3	....	371–390	12
			391–410	13
			411–430	14
			431–450	15
			451–470	16

[1] To be used only for vehicles entitled to basic rations.

"TABLE II[1]—PASSENGER AUTOMOBILES OR MOTORCYCLES
Determination of Amount of Supplemental Ration
(For vehicles with an allowed mileage of more than 470 miles per month)

	Number of Coupons (Class "C" or Supplemental Class "D" Book)
Allowed mileage. (All in excess of 470 miles per month must be preferred mileage):	
471–490	17
491–510	18
511–530	19
531–550	20
551–570	21
571–590	22
591–610	23
611–630	24
631–650	25
651–670	26
671–690	27
691–710	28
711–730	29
731–750	30
751–770	31
771–790	32
791–810	33
811–830	34
831–850	35
851–870	36
871–890	37
891–910	38
911–930	39
931–950	40
951–970	41
971–990	42
991–1,010	43
1,011–1,030	44
1,031–1,050	45
1,051–1,070	46
1,071–1,090	47
1,091–1,110	48

[1] To be used only for vehicles entitled to basic rations.

In the event allowed mileage exceeds 1,110 miles, one additional coupon shall be issued for each 20 miles, or fraction thereof, of allowed mileage in excess of 1,110 miles. Additional books may be issued if necessary to provide additional coupons."

Further gasoline rations (Class C coupon books) are obtainable when the mileage is necessary for the carrying out of certain purposes; this is deemed "preferred mileage." Under Sec. 1394.7706 (o) (2) workers in the radio industry, other than salesmen, are eligible for preferred mileage. That section reads as follows:

"Sec. 1394.7706 *Preferred mileage*. The mileage driven in a passenger automobile or motorcycle by the owner or a person entitled to the use thereof, necessary for carrying out one or more of the following purposes, shall be deemed preferred mileage: * * *

"(o) By a worker, including an executive, technician or office worker (but excluding a person while engaged in promotional, merchandising, sales, landscaping or decorating activities, wholesale or retail delivery, and a member of the armed forces of the United States or military forces organized pursuant to section 61 of the National Defense Act, as amended), for travel to, from, within or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishment or facilities. * * *

"(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants engaged in the production or distribution of light, power, electricity, gas, steam, or water; or of irrigation, drainage, flood control or sanitation systems; or of telephone, telegraph, radio or communications systems."

SALARY ADJUSTMENTS

The War Labor Board on November 6 issued a statement on its general policy toward *wage* adjustments under President Roosevelt's stabilization order of October 3.

Although this statement did not cover *salaries* specifically, it may be assumed that the Board's policy toward *salaries* under the order of October 27 will be approximately the same.

Permission to make any *general* salary (or wage) adjustments should be referred to your nearest *Wage and Hour Division* office. This office then will refer the case to the nearest regional office of the *War Labor Board*.

Individual adjustments, within certain limits, may be made without any official approval. For these limits see Sec. 4001.6 of the Order of October 27. (NAB REPORTS, p. 620.)

The text of the War Labor Board's statement:

The policy directive given the National War Labor Board by Congress and by the President is clear. Under that directive, the board will act on the presumption that wage rates prevailing on September 15, 1942, are proper. The board will grant wage increases over the level prevailing on September 15, 1942, only in exceptional cases and in accordance with the following paragraph of Executive Order No. 9250 of October 3, 1942:

"The National War Labor Board shall not approve any increases in the wage rates prevailing on September 15, 1942, unless such increase is necessary to correct maladjustments or inequalities, to eliminate substandards of living, to correst gross inequities or to aid in the effective prosecution of the war."

The National War Labor Board will examine carefully each claim for such exceptional treatment before approving any increase. In considering specific cases, the board will be guided by the following general principles. The application of these principles by regional directors will be subject to all general orders of the board and to its announced rules of procedure.

1. Maladjustments.

If a group of employes has received increases amounting to 15 per cent in their average straight-time rates over the level prevailing on January 1, 1941, the board will not grant further increases as a correction for maladjustments.

Beginning about January 1, 1941, a race between wages and prices began. Between that date and May, 1942, when the President's seven-point program to stabilize the cost of living was announced, the cost of living had risen 15 per cent as measured by the general index of the Bureau of Labor Statistics.

In the same period, very considerable but varying increases in wage rates were made. The irregularity of wage increases caused many maladjustments in the wage relationships between different plants and industries. A substantial majority of industrial workers had received more than 15 per cent increase; some had received less.

To correct these maladjustments the board will consider requests for general increases in straight-time rates up to 15 per cent above the level prevailing on January 1, 1941. This policy sets a terminal point for general wage increases. It is not applicable to individual workers or to employes in particular job classifications. It will be applied only to groups composed of all the employes in a bargaining unit, in a plant, a company, or an industry, depending upon the circumstances of each case.

Adjustment of wage rates to correct maladjustments may be made by regional directors; provided, however, that their authority in this regard will be limited to cases arising in those industries which have been specifically designated by the board, and if in the judgment of a regional director a wage adjustment for the correction of a maladjustment would act to unstabilize wages, the case shall be referred by him to a tripartite regional panel.

A list of designated industries is attached hereto and may be enlarged or modified by the board from time to time. Any proposed wage adjustments in industries not listed must be referred to the National War Labor Board at Washington for action.

2. Inequalities and gross inequalities.

The wage rate inequalities and the gross inequalities which may require adjustment under the stabilization program are those which represent manifest injustices that arise from unusual and unreasonable differences in wage rates.

Wage differentials which are established and stabilized are normal to American industry and will not be disturbed by the board.

The board itself will review cases where evidence is submitted to show that existing differences in wage rates are so discriminatory as to make their continuance a manifest injustice. Such evidence may be submitted to the regional director. If the regional director is satisfied that the evidence submitted so justifies, the claim may then be transmitted to the National War Labor Board in Washington for consideration.

3. Substandards of living.

In the President's message of April 27, 1942, and again in the executive order of Oct. 3, 1942, the word "substandard" is used with reference to the need for eliminating substandards of living. The National War Labor Board has dealt with but a very few cases in which the substandard issue has been a factor. Therefore the board is not in a position at this time to enunicate a general policy to govern the adjustment of wages to eliminate substandards of living. The board will not undertake to measure substandards of living by any fixed wage rate.

Such cases involving substandards of living as may arise will be considered by the board on their individual merits until sufficient experience has accumulated to permit the statement of a more general policy.

4. Effective prosecution of the war.

Under Executive Order 9250, the National War Labor Board may approve any increase of the wage rates prevailing on Sept. 15, 1942, if such an increase is necessary "to aid in the effective prosecution of the war." Every adjustment in Sept. 15, 1942, wage levels that the Board may make will be, in its judgment, for a more effective prosecution of the war.

The National War Labor Board will not approve wage increases for the purpose of influencing or directing the flow of manpower.

When in a particular case management and labor, in cooperation with the War Manpower Commission and other government agencies, have taken concerted action to solve a manpower need, the board will consider a request in that case to correct whatever inequalities or gross inequities may then need correction.

Programs for Victory

SCHOOLS AT WAR

WBIG, Greensboro, North Carolina, launched, on November 10, a new program "Schools at War" which will continue for one-half hour weekly through May 4.

Some 200 school children from the first grade through high school will participate in the program. And 21 public schools will be represented.

Each broadcast of the series will show practical education in concrete action.

KIDS BUY $265,000 WORTH

Last week's NAB Reports carried the account of "Commando Corps of the Court of Honor" at WKBW-WGR, Buffalo.

Jack Gelzer now reports that as of November 8 total dollar sales, not pledges, have passed the $265,000 mark.

MORE TUBES FOR HOME SETS

WPB has just authorized an increase in the manufacture of radio tubes for home receivers according to word from Frank McIntosh, Chief, Civilian Radio Section.

This constructive action was taken immediately after a field check-up revealed that some high demand tubes, in certain sections of the country, were inadequate for current needs. The increase is in line with Mr. McIntosh's statement to NAB, October 20, that WPB would make tubes and parts available in order to maintain domestic broadcasting.

The delay in restoring tube inventory to wartime proportions will be measured by the time required for fabricating the released nickel, manufacturing tubes and getting them to consumers.

Since all set failures are not due to tubes, a considerable amount of repair work will continue as usual. A "Victory" line of component parts which sharply reduces the size of required inventory is expected to be in production very soon. A meeting of parts manufacturers and WPB officials, November 17, is expected to iron out remaining details.

TOP PRIORITY IN 1943

Broadcasting will have a top priority rating of AA-1 for repairs and replacements beginning New Years Day, 1943.

This was disclosed in Washington this week when WPB announced a change in basic industrial strategy. Heretofore, Army and Navy have enjoyed the AA-1 and AA-2 priorities. The view now held by WPB is that victory also depends upon keeping the "Nation's civilian economy in a healthy condition."

Said WPB in part . . . "Communication and transportation systems, gas, oil and water lines and other services will be assured of materials to keep them performing their essential functions."

The present technique for securing materials and parts for broadcast stations remains in effect.

TRAINS WOMEN TECHNICIANS

Edward Whitlock, manager, WRNL, Richmond, is engaged in a program of training women technicians. The three, Mrs. Dorothea Brown and Mrs. Ruth Dorin have been housewives for the past ten years, while the third, Miss Terry Teal, is a recent college graduate.

For six hours each week the girls study in one of the ESMWT courses. The balance of their time is spent either at the station or the transmitter, under the tutelage of Walter Selden, WRNL Chief Engineer.

MARABLE JOINS WMBD

James Marable, formerly of the Chicago Civic Orchestra, Richard Czerwonky's University of De Paul orchestra and the American Opera Company, has now joined the string ensemble of station WMBD. Mr. Marable has studied with Walter Brauer, one of Chicago's leading cello teachers.

HOW TO BUY BLANK DISCS

Several broadcasters have made inquiries concerning Order P-133, with special reference to "5," which omits discs.

How To Do It

Blank discs for broadcasters may be purchased by either or both of the following methods:

(a) If broadcasters buy blanks direct from manufacturer, use Form PD-1A and file with WPB.

(b) If broadcasters buy blanks from a distributor, no priority is required.

UNITED CHURCH CANVASS NOV. 15

The United Church Canvass, with sixteen denominations and creeds, Christian and Jewish, has set aside the period, November 15 to December 8, to focus the attention of the Nation on the importance of church participation and to urge financial support for local community church appeals and the work among civilian population in war torn countries.

Charles E. Wilson, vice chairman WPB, is chairman of the Sponsors' Committee.

Niles Trammell, president of NBC, is chairman of the radio group.

Among those serving with Mr. Wilson are Herbert Hoover, Wendell Willkie, William Green, A. F. of L. head; James L. Kraft, president of the Kraft-Phenix Chese Corporation; Supreme Court Justice Owen J. Roberts, Mrs. Maurice L. Golden, president of the National Council of Jewish Women; Judge Florence E. Allen of Cleveland, and Charles P. Taft, Assistant Coordinator of the Federal Security Agency.

NEW BWC PUBLICATION

PROTECTION AND OPERATION OF DOMESTIC BROADCAST STATIONS IN WARTIME is the title of a new restricted publication now being mailed to all licensees of standard broadcast stations by the Board of War Communications.

This material has been in preparation for sometime by the Domestic Broadcast Committee IV, of the Board of War Communications. It is suggested that station managers and chief engineers carefully study the contents of this very important manual.

WPB ADVISORY COMMITTEE

Formation of a Radio and Radar Industry Advisory Committee has been announced by WPB, Division of Industry Advisory Committees, Ray Ellis, of the Radio and Radar Branch, is the Government Presiding Officer.

Committee members are: Max Balcom, Sylvania Electric Products, Inc., Emporium, Pennsylvania; M. Cohen, F. W. Sickles Company, Springfield, Massachusetts; W. P. Hilliard, Bendix Radio, Baltimore, Maryland; W. F. Hosford, Western Electric Mfg. Company, New York; E. E. Lewis, Radio Corporation of America, Camden, New Jersey; Percy L. Schonen, Hamilton Radio, New York; Al Wells, Wells-Gardner Company, Chicago, Illinois.

P-I DEALS

Vanderbie & Rubens, Inc., Chicago, Ill., offers a P-I deal on behalf of the Walton School of Commerce.

The Herald Advertising, San Antonio, Tex., seeks P-I business to sell "Oro-Sol Eye Drops."

The Tax Digest, New York City, attempts to break down established radio advertising practices by urging the sale of Modra's "1943 Income Tax Guide" on a per-inquiry basis.

United Advertising Companies, Chicago, Ill., now adds the National Birth Certificate Advisory Service to their long P-I list.

Washington Brothers, Washington, D. C., are offering broadcast stations the "privilege" of selling "quality merchandise" at contingent rates.

GOVERNMENT TAKES WRUL

The government has taken possession of WRUL, Boston, according to an official statement issued by Elmer Davis of OWI and James Lawrence Fly of FCC. The official statement says:

"Because of the need of having all short wave facilities available to the government before offensive action by American troops started in the European theater, the War Communications Board on Thursday of last week took possession of station WRUL, Boston, and made those facilities available to the Office of War Information.

"Fair compensation for use of these facilities will be determined in accordance with the statutory provisions which provide for government use of such facilities."

IRE FIVE-POINT WARTIME PROGRAM

To meet the wartime needs and obligations of the Institute of Radio Engineers, a 5-point war program was announced by Arthur F. Van Dyck, President of the IRE, at a meeting of the Institute, in Rochester, N. Y., on November 9.

The program follows:

1. Aid in allocation of manpower to improve the war effort.
2. Aid in standardization and simplification of parts and equipment in radio material used by the Armed Forces.
3. Broaden the scope of operations to include new applications of radio, which may be called electronics or radionics.
4. Streamline the IRE organization to operate at maximum efficiency.
5. Conduct post-war planning for radio and radionics, particularly television.

Stressing the extraordinary importance of radio in the war, Mr. Van Dyck said that to the radio engineer must go credit for developments which have greatly enhanced the communication of planes, ships, and tanks, as well as that of the infantry. He pointed to the increased utilization of radio made possible by new devices, many of which must remain military secrets until after the war.

"Radio engineers are devoting time and overtime in helping to win the war," said Mr. Van Dyck. "They will be entitled to good vacations when it is over, but even then they are not likely to get any time to rest up. The Armistice of this war will be heralded by radio loudspeakers all over the world, and will mark not only the end of the conflict but the beginning of a new period in which radio engineers will find it a vital duty to translate radio war developments to peacetime benefit as rapidly as possible."

NAB Director of Engineering, Howard S. Frazier, attended the meeting.

WAR CONTRACTORS ADVERTISING EXPENSE

Supplementing the article on the deductibility of advertising expenses on corporate income tax returns, the following release has only limited significance as it applies only to advertising expenditures by War Contractors as costs in Cost-plus-fixed-fee Contracts and such expenditures as part of overhead and management expenditures on Fixed-price Contracts.

The Procurement Policy Committee of WPB has recommended the uniform adoption of the policies set forth below in regard to expenditures for advertising by War Contractors:

Advertising Expenditures as Costs in Cost-plus-fixed-fee Contracts

As a general rule advertising is an inadmissible item of cost, on the reasoning that advertising is not required in order to do business with the Government. However, certain kinds of advertising of an industrial or institutional character, placed in trade or technical journals, not primarily with the object of selling particular products but essentially for the purpose of offering financial support to such trade or technical journals, because they are of value for the dissemination of trade and technical information for the industry are not really an advertising expense to effect sales so much as an operating expense incurred as a matter of policy for the benefit of the business and the industry.

Other Advertising Expenditures

Advertising expenditures done and paid for out of the contractor's fee on cost-plus-fixed-fee contracts, or as part of overhead and management expenditures on fixed-price contracts, are subject to review by the Price Adjustment Boards when they consider the broad question of company-wide excess profits on war business.

A reasonable expenditure for advertising shall be allowed by these boards even though a company shall be substantially or wholly engaged in war production.

The definition of "reasonable expenditure" to be followed by the Price Adjustment Boards is contained in a recent statement made by the Secretary of the Treasury as follows, "the test of whether expenditures for advertising are deductible is whether they are ordinary and necessary and bear a reasonable relation to the business activities in which the enterprise is engaged. This is not intended to exclude institutional advertising in reasonable amounts or good-will advertising calculated to influence the buying habits of the public. If such expenditures are extravagant and out of proportion to the size of the company or to the amount of its advertising budget in the past, or if they are not directed to public patronage which might reasonably be expected in the future, such payments will be disallowed as deductions."

When an industry has been substantially or wholly converted to war production, the Price Adjustment Boards will recognize that the amount of advertising expenditure necessary to maintain a trade mark or brand name of a product in the public consciousness is much smaller than that required for promotion of the same product in a normal competitive market.

919 STATIONS

During the month of October, 1942, the Federal Communications Commission granted no permits for the construction of new stations. Operating licenses were issued to two stations. A comparative table by month follows:

	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1
Operating	877	882	887	891	893	897	899	906	906	905	905	907	909
Construction	38	37	36	32	31	27	25	18	19	16	15	12	10
	915	919	923	923	924	924	924	924	925	921	920	919	919

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 16. They are subject to change.

Thursday, November 19

WMRO—Martin R. O'Brien, Aurora, Illinois.—Modification of license, **1280 kc.**, 100 watts night, 250 watts day, unlimited.

Consolidated Hearing

WALB—Herald Publishing Company, Albany, Ga.—Renewal of license, **1590 kc.**, 1 KW, DA-night, unlimited.

WALB—Herald Publishing Company (Assignor); Albany Broadcasting Company (Assignee), Albany, Ga.—Voluntary assignment of license of Station WALB, **1590 kc.**, 1 KW, DA-night, unlimited.

WALB—Herald Publishing Company, Albany, Ga.—C. P., **1550 kc.**, 1 KW, DA-night, unlimited.

Friday, November 20

WKBW—Buffalo Broadcasting Corporation, Buffalo, N. Y.—Renewal of license (main and auxiliary), **1520 kc.**, 50 KW, unlimited, DA-day and night.

WGR—Buffalo Broadcasting Corporation, Buffalo, N. Y.—Renewal of license (main and auxiliary), **550 kc.**, 1 KW, night, 5 KW day, unlimited, DA-night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WIAC—Enrique Abarca Sanfeliz, San Juan, Puerto Rico.—Granted modification of license (B-ML-1138) to change main studio location from San Juan to Hato Rey, Puerto Rico.

KROC—Gregory P. Gentling (deceased), Transferor; Agnes P. Gentling (executrix of estate of Gregory P. Gentling, deceased), Transferee, Rochester, Minn.—Granted consent to transfer of control (B4-TC-310) of Southern Minnesota Broadcasting Co., licensee of station KROC, from Gregory P. Gentling (deceased) to Agnes P. Gentling, his widow.

Voice of Christian Youth, Detroit, Mich.—Granted authority to transmit for broadcasting to station CKLW, Windsor, Ontario, Canada, religious programs to be originated in the sanctuary of the Wesley Methodist Church, Detroit.

W53H—The Travelers Broadcasting Service Corp., Hartford, Conn. —Granted license (B1-LH-14) to cover construction permit (B1-PH-12) for high frequency (FM) broadcast station; **45300 kc.**, 6100 square miles.

DESIGNATED FOR HEARING

The Fort Hamilton Broadcasting Co., Hamilton, Ohio.—Designated for hearing application for construction permit (B2-P-3469) for a new station to operate on **1450 kc.**, with power of 250 watts, unlimited time.

Eastern Broadcasting Co., Inc., Huntington, L. I., N. Y.—Designated for hearing application for construction permit (B1-P-3277) for a new station to operate on **1520 kc.**, 1 KW, limited to WKBW.

MISCELLANEOUS

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Passed motion to take depositions in re applications of WMIS and WGRM for renewal of licenses.

WGRM—P. K. Ewing, Greenwood, Miss.—Passed motion to take depositions in re applications of WMIS and WGRM for renewal of licenses.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted motion for order to take depositions in re application for construction permit (Docket 6309).

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted petition for leave to amend application for construction permit (to move to site originally proposed) and to reopen record for further hearing to be held December 4, in re applications of WGAR, WHBC and WADC.

KFXM—J. C. Lee and E. W. Lee (Lee Brothers Broadcasting Co.), San Bernardino, Calif.—Granted petition to amend application for construction permit (to request only a modification of license to change hours of operation to unlimited) and remove from hearing docket.

Northeastern Penna. Broadcasters, Inc., Wilkes-Barre, Pa.—Referred to the full Commission petition to hold further hearing at Wilkes-Barre, Pa., in re applications for a new station at that place.

WORK—York Broadcasting Co., York, Pa.—Granted petition to continue to December 16 the hearing now scheduled for November 16, in re application for modification of construction permit.

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Denied petition to discontinue further proceedings in re application for modification of license.

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Granted motion to dismiss without prejudice application for modification of license.

WHEB—R. G. LeTourneau, Transferor; The LeTourneau Foundation, Transferee, Portsmouth, N. H.—Granted motion to dismiss without prejudice application for transfer of control of station WHEB.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Granted petition to dismiss application for construction permit (B4-P-3459).

KXKX—First National Television, Inc., Kansas City, Mo.—Adopted order denying as in default the application for renewal of license of station KXKX (**1590 kc.,** 1 KW, unlimited), and terminated temporary license heretofore issued pending hearing and decision on application. Applicant failed to enter an appearance for hearing on October 5. On October 7 the Commission was advised the corporation was without funds to continue operation of station.

WLW—The Crosley Corp., Cincinnati, Ohio.—The Commission on its own motion adopted an order to supplement issues in re application for modification of license (Docket 6341) for authority to operate station with 50 KW night, 500 KW local sunset, using transmitter of experimental station W8XO, on which a hearing is scheduled for November 26, 1942.

Northeastern Penna. Broadcasters, Inc., Wilkes-Barre, Pa.—Denied petition for leave to hold further hearing at Wilkes-Barre in re applications of Wilkes-Barre Broadcasting Corp., Central Broadcasting Co., Key Broadcasters, Inc., and the applicant, for a new station in that city, provided, however, that after the hearing has been concluded in Washington a further hearing for the taking of additional testimony may be adjourned by the presiding officer to Wilkes-Barre, if the following showing is made under oath, to the reasonable satisfaction of the presiding officer: (1) the name and address of each person whose testimony is desired to be taken; (2) the specific subject matter concerning which each witness is to testify and that such testimony is relevant, competent, and not unduly cumulative, and (3) the reason or reasons why each witness is unable to attend a session of the hearing in Washington.

WRET—Ralph A. Horton (Portable-Mobile), area of Ft. Lauderdale, Fla.—Granted license to cover construction permit for new relay broadcast station (B3-LRE-422).

KEUB—Eastern Utah Broadcasting Co., Price, Utah.—Granted authority to install automatic frequency control equipment (B5-F-249).

WEGR—Westinghouse Radio Stations, Inc. (Portable-Mobile), area of Philadelphia, Pa.—Granted license to cover construction permit for new relay broadcast station (B2-LRE-423).

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification of construction permit (B3-P-3043 as modified, which authorized change of frequency, increase power, directional antenna day and night, and move of transmitter) for extension of completion date to January 6, 1943 (B3-MP-1664).

APPLICATIONS FILED AT FCC

570 Kilocycles

WMAM—M and M Broadcasting Co., Marinette, Wis.—Modification of license to change hours of operation from daytime to unlimited time, with power of 100 watts night, 250 watts day.

950 Kilocycles

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Authority to determine operating power by direct measurement of antenna power.

1170 Kilocycles

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Modification of construction permit (B3-P-3098, which authorized change in frequency, increase in power, change hours of operation, and install directional antenna for night use) for approval of directional antenna system for night use.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924), which authorized change in frequency, increase in power, installation of directional antenna, new transmitter and move of transmitter for change in transmitter location, change in type of transmitter and changes in directional antenna. Amended: re changes in directional antenna for night use.

1390 Kilocycles

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Modification of construction permit (B5-P-3096 as modified), which authorized installation of new equipment, increase in power, installation of directional antenna for night use, and move of transmitter for extension of completion date from 11-12-42 to 12-12-42.

1400 Kilocycles

KVRS—Wyoming Broadcasting Co., Rock Springs, Wyoming.—Transfer of control of licensee corporation from R. R. West to Marjorie Lannen McCracken (99.96%).

MISCELLANEOUS APPLICATIONS

NEW—General Electric Co., San Francisco, Calif.—Construction permit for a new special relay broadcast station to be operated on **31220, 35620, 37020, 39260 kc.,** 75 watts, A3 emission. Amended: to request change in frequencies to **30820, 33740, 35820,** and **37980 kc.**

WNYE—Board of Education, City of New York, Brooklyn, N. Y—License to cover construction permit (B1-PED-18) as modified, which authorized changes in equipment, frequency, power and emission.

WBEZ—Board of Education, City of Chicago, Chicago, Ill.—Modification of construction permit (B4-PED-22 as modified), which authorized construction of a new non-commercial educational broadcast station for extension of completion date from 12-7-42 to 3-7-43.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

International Trustees, 217 East 3d St., Des Moines, and Spiegel, Inc., 1061 West 35th St., Chicago, is charged in a complaint with operating a deceptive "trust fund" scheme to collect delinquent accounts for Spiegel, Inc., which does a mail order business in household furnishings and other merchandise. (4863)

National Lacquer Manufacturing Co., and trading as National Titanium Co., Vernon, Calif., selling and distributing paint and paint products, is charged in a complaint with misrepresentation. (4864)

Scotch Woolen Mills, Chicago, is charged in an amended and supplemental complaint with misrepresenting the nature and extent of its business and the source of the woolen cloth used in the "made-to-measure" clothing it manufactures. (940)

Valmor Products Co., Famous Products Co., and Madam Jones Co., 2241 Indiana Ave., Chicago, advertising, selling and distributing various medicinal preparations and cosmetics, is charged in a complaint with false advertising and misrepresentation. (4866)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Di-Function Co., Inc., 2233 North Main St., Fort Worth, Tex., engaged in the manufacture and sale of a preparation designated "Di-Function", advertised as a treatment for diabetes, has been ordered to cease and desist from false advertising and misrepresentation. (4666)

Electro-Health Appliance Co., Los Angeles, engaged in the rental and sale of an electrical device designated "Electro-Health Short Wave Diathermy," has been ordered to cease and desist from false advertising and misrepresentation of its product. (4501)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Kimberly Gem Co., Inc., 503 Fifth Ave., New York, engaged in selling semi-precious stones designated "Zircons," has stipulated to cease and desist from representing that Zircons will cut glass or withstand all acid tests that diamonds will; through use of the word "Kimberly" as a part of its trade name, without full and plain disclosure of the true source of its Zircons, that its Zircons were imported from Kimberley, South Africa, or that Zircons are diamonds or any kind of a diamond. (03070)

Koto Cosmetic Co., 7039 Monticello St., Pittsburgh, stipulated that in the sale of preparations designated "Koto Cleansing Cream," "Koto Vanishing Cream" and "Koto Lemon-Almond Lotion" he will cease and desist from representing that any of these products has therapeutic value for skin troubles or is effective in preventing or curing blackheads, pimples, freckles, or wrinkles. (03069)

William H. Rorer, Inc., 254 South 4th St., Philadelphia, manufacturing a product for use as a fertilizer essentially of the well-known "5-7-5" type under the name "Plant Dinner," has stipulated in connection with the advertising, sale and distribution of the product, or any other product of substantially the same composition or possessing substantially the same properties, to cease and desist from representing that it is a "perfect all-purpose nutrient"; that it will afford "all the food" needed by a plant, regardless of its kind and the character of soil in which it is rooted; that it will provide a "full course meal" for plants generally, or any other representation of similar meaning tending to convey the belief that the product contains all such elements as to assure or provide that type of food or diet which is appropriate or best suited to the particular needs of each plant treated therewith. (3557)

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 46, November 20, 1942

Petrillo Hearings Scheduled

Senator D. Worth Clark (D-Idaho), Chairman of the sub-committee of the Senate Interstate Commerce Committee, appointed pursuant to a Senate Resolution to investigate the activities of Mr. Petrillo and the American Federation of Musicians in banning recordings, announces that the hearings will get under way on Monday, December 7.

The sub-committee, in addition to Senator Clark, includes Senator McFarland (D-Arizona); Senator Tobey (R-New Hampshire); Senator Tunnell (D-Delaware); and Senator White (R-Maine).

NORRIS RESOLUTION COMMITTEE

Senator Wheeler (D-Mont), Chairman of the Senate Interstate Commerce Committee, this week appointed the following sub-committee to investigate the subject matter of the Norris Resolution (S. Res. 305,—see NAB REPORTS, October 16, p. 600): Johnson (D-Colo), Chairman; Hill D-Ala); Tunnell (D-Del); White (R-Maine); Tobey (R-N. H.); and Reed (R-Kans).

No date has yet been set for the hearings.

MANNING TABLE PLAN

As a result of conferences with Selective Service officials this week in Washington, the NAB has reached the conclusion that the Manning Table Plan (See Supplement No. 2 to NAB Selective Service Handbook, dated November 13, 1942) is not well adapted to the radio broadcasting industry generally. It is designed to expedite the orderly withdrawal from industry into the army of workers in large industrial units. Based on 608 returns from the NAB Manpower Survey, it appears that the average radio broadcast station employs only 21 persons, and that the range is from 2 employees to only 132 employees. However, any station that believes the Manning Table Plan adapted to its deferment and training program is eligible to participate under the plan, and should communicate with the appropriate regional office of the War Manpower Commission as listed in Supplement No. 2.

NAB MANPOWER SURVEY

NAB staff members have held frequent conferences with officials of National Headquarters of Selective Service. Two important ones, on Monday and Thursday of this week, pertained to the facts developed by the NAB Manpower Survey. Selective Service officials are greatly impressed by the survey, not only for the information produced in tabulation, but also by the individual questionnaires which have been submitted to Selective Service with express approval of individual stations in connection with the consideration of appeals.

The manpower questionnaire was sent to all 919 broadcast stations licensed by the Commission. To date, 667 replies have been received. This represents a 73% response. The tabulation was made commencing October 20, utilizing 615 stations. The survey shows that on October 19, 1940, the average station employed 22.482 persons. On September 15, 1942, the station average had dropped to 21.087. The employment of men by stations dropped from 18 to 16. Employment of women rose from 4.385 to 4.952. In the two-year period, all station employment decreased 6.2%; a 10.9% decrease for men and a 12.9% increase for women.

In the two-year period 26.2% of the men employed by stations were lost to the armed services. Roughly, two-thirds of those going into the armed services enlisted or were ordered to active duty in reserve capacity. About 35% were drafted.

Considerable concern has been expressed over the migration of employees within the industry to other stations, other civilian employment, as well as to the armed services. The survey shows that 69.5% of the personnel employed at October 19, 1940, had left stations between that date and September 15, 1942. This means a movement of seven of every ten employees.

On September 15, 1942, 64.4% of all persons employed by stations were in draft ages 20 to 45 years. In addition, boys of ages 18 and 19 constituted 4.3% of all employees, bringing the present percentage within draft age to 68.7%. A selective service classification of those within ages 20 to 45 years on September 15th as expressed in percentages shows men classified in 1A or 1B to be 9.0%; those in 2A or 2B, 2.3%; those holding reserve commissions or awaiting call, 1.3%; classification 3A, 67.6%; classification 3B, 1.5%; classification 4, 9.5%; and not yet classified, 8.8%.

Stations classified as essential men to their operation only 19% of their employees. In terms of average employment per station, only 4 of 21 were listed as essential. In terms of actual figures as reported in the survey, 608 stations showed total employment of 12,821 and listed as "necessary men", 2.464. Of this number, 150 were in Selective Service classification 1A, 116 were in 2A or 2B and 1,958 in 3A or 3B. Approximately 67% of the men in 3A and 3B have dependent children. Thus it can be readily seen that a request of the industry to National Selective Service for deferment of essential employees involves an exceedingly small number of registrants.

Additional survey results will be presented in next week's NAB REPORTS. It is planned within the next two weeks to complete individual station tabulations to be sent to those stations cooperating in the survey. Each station will also receive tabulations for all stations in the state in which it is located and a copy of national summaries. Each NAB District Director will be provided with three copies of the summary of each state within his District. He will be asked to

(Continued on page 654)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

NAB MANPOWER SURVEY

(Continued from page 653)

submit one copy to the State Director of Selective Service, one copy to the State Occupational Advisor of Selective Service, and retain one copy for his own files. National Selective Service headquarters has indicated that it feels it will be helpful to the State Director and to the Occupational Advisor to have this information at hand when advising local boards with respect to cases involving broadcasting personnel.

OWI RAIDING STATIONS

The following wire was received at NAB Headquarters from a New England broadcaster:

"We desire protest most vigorously against OWI procedure in sending representatives to technicians of small stations offering them high salaries and particularly draft exemptions to leave and take civil service jobs at some fifty new short wave government propaganda stations. Government is training thousands of technicians for themselves but now brazenly raids existing stations without consulting managements or considering consequences to stations. Yesterday Mr. Mack Bougere, chief technical director from New York office, interviewed our staff unknown to me and today formal letters arrived addressed to our men. We have barely enough licensed men now to keep on the air and are threatened with imminent loss of every man by draft or enlistment. We cannot train replacements unless we compel our chief engineer to drop his work teaching hundreds of enlisted men at government radio school here. Should he drop this just to train a few replacements for us? He now operates here at the station and also works eight hours daily teaching for government. How can he also train replacements for us? I consider this action of OWI as outrageous and it will put us off the air in short order. Can you take this matter up for us?"

OWI was immediately contacted. In the absence of William B. Lewis, Chief of the Radio Bureau, the matter was discussed with his assistant, Douglas Meservey. This was followed up with a letter to him signed by Neville Miller's assistant, C. E. Arney, Jr.

"Pursuant to the telephone conversation which I have just completed with you, I am sending you herewith a copy of the telegram just received.

"I wish again to emphasize the serious situation growing out of this practice. Draft officials are realizing more and more the necessity for deferment of some of these technical men in radio stations. We have every reason to believe that henceforth radio stations will not be subjected to the severe drain on manpower in the technical field which has marked the operation of the draft heretofore. With this problem solved we feel the small operators are measurably protected.

"If, however, the OWI Overseas Division is going to seek to take these men away from stations as indicated by this station operator, I can foresee a severe curtailment of domestic broadcasting. I have no hesitancy in saying to you I consider this a most serious problem.

"As a first step I think it would be highly desirable if whoever is in charge of the recruiting for the technical staff for the Overseas Division would contact the managements of the stations first to ascertain the situation which exists in the stations. There is no need to emphasize the fact that radio broadcasters have, without exception, demonstrated their very sincere desire to cooperate with the war effort, in every way, including the surrender of some of their necessary personnel. But if OWI and the government are to continue to call upon stations to perform the communications job which they are asking of it, some steps must be taken to preserve essential personnel.

"I hope you will give this early and earnest attention. We would like to be advised of what action is taken."

WPB ANNOUNCES VICTORY LINE OF REPAIR PARTS TO KEEP HOME SETS IN OPERATION

The tentative list of radio replacement parts to keep the nation's radio receivers in operation throughout the war was completed by WPB Nov. 19. This standardization of component parts is known as the Victory line, according to Frank McIntosh, Chief, Civilian Radio.

Tell the Trade About It

It is suggested that broadcast stations call the release of the Victory line information to the attention of their local radio trade, since it may be many weeks before the information reaches it through the monthly trade magazines in that industry.

The list of volume controls below will replace 2,700 types. The several types of dry electrolytic condensers will replace 357 types; the listed paper condensers will do the job formerly done by 300 types. The 200 types of transformers and chokes have been sharply reduced as indicated. Several other parts, not listed, are to be included in the Victory line of parts.

As far as tubes for home receivers are concerned, WPB has actually completed 95% of the work involved in solving this problem. In order to conserve material here it was necessary first to consume tubes on the shelves of the distributors so that a measured volume of tubes could be manufactured and handled within the limits of allowable material.

Victory line consists of

RADIO REPLACEMENT TYPES

Dry Electrolytic Condensers

Cap. Mfg.	*Rated Voltage*
25	50 volts
8	150 volts
20	150 volts
30	30 volts
40	150 volts
8	250 volts
20	250 volts
8	450 volts
8	8 volts
20	450 volts
30	450 volts

Paper Tubular Condensers

Cap Mfg.	*Rated Voltage*
.0001	600 volts
.00025	600 volts
.0005	600 volts
.001	600 volts
.002	600 volts
.005	600 volts
.01	600 volts
.02	600 volts
.05	600 volts
.1	600 volts
.25	600 volts

Transformers and Chokes

Power:

1. 350V @ 90 Ma. for 2.5V. Tubes— to Service 6-9 Tube Radios
2. 350V @ 120 Ma. for 2.5V. Tubes— to service 10-13 Tube Radios
3. 350V @ 70 Ma. for 6.3V. Tubes— to Service 5-7 Tube Radios
4. 350V @ 120 Ma. for 6.3V Tubes— to Service 8-11 Tube Radios
5. 350V. @ 150 Ma. for 6.3V. Tubes— to Service 12-15 Tube Radios

Output:

1. 8 Watt Universal with Various Impedances
2. 18 Watt Universal with Various Impedances

Input:

1. Small 3:1 for AC-DC and many AC Radios
2. Large Universal with Split Secondary

Driver:

1. Tapped Universal Driver with 3 Popular Ratios

Choke:

1. 50 Ma. 300 Ohm Choke for most AC-DC Radios
2. 110 Ma. 200 Ohm Choke for 7-9 Tube AC Radios
3. 150 Ma. 200 Ohm Choke for 10-13 Tube AC Radios

Volume Controls

1. Shaft
   a. All shafts to be made of steel, either round or knurled as indicated for type listed below.
   b. Round shafts to be milled with .218" flat.
   c. Length of round or knurled shafts 2⅛" beyond ⅜" bushing (2½" overall length).
   d. All shafts to be of the built-in or fixed type.
2. All universal controls are to be of the midget or junior type, approximately 1⅛" in diameter and are to be of the type that receive an adaptable switch.
3. All accessories such as nuts, washers, ground terminals, and bias resistors packed with controls in the past are to be eliminated.
4. Standardized line of untapped universal controls with fixed round shaft with flat, totaling 19 controls.

Resistance	*Taper*
5M ohms	Linear
10M ohms	Audio
10M ohms	Reverse
10M ohms	Linear
20M ohms	Audio
25M ohms	Linear
50M ohms	Audio
50M ohms	Reverse
50M ohms	Linear
100M ohms	Audio
100M ohms	Linear
250M ohms	Audio
250M ohms	Linear
500M ohms	Audio
500M ohms	Linear
1 Meg.	Audio
1 Meg.	Linear
2 Meg.	Audio
3 Meg.	Audio

5. Standardized line of tapped universal controls with fixed round shaft with flat, totaling 9 controls.

Overall Resistance	*Tapped Resistance*
250M ohms	110M
350M ohms	70M
500M ohms	100M
1 Meg.	300M
2 Meg.	5M
2 Meg.	15M
2 Meg.	600M
2 Meg.	900M
2.25 Meg.	250M and 500M

The tapped resistances given above are approximate. Any slight variance is acceptable.

Special Volume Controls

RCA Victor	4	Models	74524
RCA Victor	9	“	74526
Philco	15	“	74579
RCA Victor	4	“	74600
Zenith	22	“	75614
RCA	46	“	1210912
RCA	21	“	1210913
G. E.	4	“	F 163
Crosley	11	“	F 166
RCA	18	“	G 126
Zenith	20	“	K 180
Philco	28	“	R 103
Philco	8	“	R 105
Philco	22	“	R 115
Zenith	15	“	R 131
RCA	14	“	R 132
Mont. Ward	14	“	S 107
Zenith	1	“	S 116
Zenith	5	“	S 115
Zenith	7	“	S 118
Zenith	7	“	S 128
Zenith	15	“	S 129
Zenith	10	“	S 130
RCA	8	“	S 131
Zenith	7	“	S 135
Zenith	12	“	S 137
RCA	2	“	U 101
RCA	9	“	U 102
RCA	1	“	U 106
RCA	9	“	U 108
RCA	4	“	U 109
Zenith	4	“	U 104
RCA	25	“	1210900

DISTRICT 16 MEETING

The two-day meeting of District 16 of NAB opened in Los Angeles on Thursday morning, November 12, 1942, with District Director Calvin J. Smith of KFAC presiding. The opening day was devoted to a discussion of the problems of broadcasters during the war and to a study of the uses of broadcasting to further the war effort.

The opening day speakers included: Neville Miller, President of NAB; Robert Coleson, Western Division Radio Office of the War Department; Major John C. Winch, Marine Corps; Ralph Block, Regional Director, Ninth District, Office of Civilian Defense; Captain Gordon Snow, Selective Service Administration, Washington, D. C.; Carl Haverlin, Headquarters Consultant, and William Lewis, Chief, Radio Bureau, Office of War Information; Eugene Carr, Office of Censorship, Washington, D. C. At the close of the first day's sessions, Mr. Miller outlined the present status of the AFM-Petrillo problem and the NAB stand on the situation was unanimously endorsed by formal resolution of the broadcasters in attendance.

Luncheon on the opening day was highlighted by two talks: Mr. Miller ably outlined the war work of broadcasters to an appreciative audience that included many of the business and industrial leaders of Los Angeles; while Leo Carillo of stage and screen fame recited a pseudo-serious, highly amusing story of the early history of California. The second day was devoted to sales problems and a presentation of the Retail Promotion Committee Plan for the development of additional retail business for broadcasting stations. Toward the end of the morning meeting, Paul Barksdale d'Orr, State Regional Rationing Director, discussed the application of the gasoline rationing program to broadcasting personnel.

At the luncheon meeting on the second day, the noted orchestra leader, Kay Kyser, recounted his recent experiences in a series of performances for the armed forces. Mr. Kyser's moving appeal for an all-out offensive on the home front was enthusiastically received and applauded by an unusually large group of broadcasters and distinguished guests.

The meeting on the second day was presided over by Charles Storke of KTMS, while the discussion of sales problems was led by Lewis H. Avery of the NAB staff.

Those registered:

John L. Ackerman, KPAS; Joe Allbaugh, KFMB; Lewis Avery, National Ass'n Broadcasters; H. L. Blatterman, KFI; E. W. Buckalew, CBS; Ralph Block, Office Civilian Defense; Mark Brenneman, KFAC; Dean Banta, KERN; Frank Burke, Jr., KFVD; Matt Barr, KFI; Fox Case, KNX; Russ Clancy, Associated Press; Volney Cunningham, KFI; W. P. Casson, KFI; Robert Coleson, War Department; Eugene Carr, Office of Censorship; Merwin Dobyns, KGER; Bud Edwards, KFI; Harry Engels, BMI; Ernest Felix, KFI; Homer Griffith, KFMB; Dave Glickman, Broadcasting; Ensign George, U. S. Navy Recruiting; Richard Graham, NBC; E. J. Gough, SESAC & Treasury Department; Carl Haverlin, BMI-Office of War Information; T. P. Hunter, KGER; Duke Hancock, KGFJ; E. L. Hughes, KFWB; Cornwall Jackson, Office of War Information; Dean Jennings, Office of War Information; Jerry King, Standard Radio; Sgt. Kendall, U. S. Marine Corps; J. Livingston, Associated Program Service; Howard Langley, Office of War Information; Dick Lewis, KTAR; Sgt. Jerry McLain, U. S. Marine Corps-Phoenix, Ariz.; Wally McLain, KNX; C. P. MacGregor, C. P. MacGregor Recording Studios; Walter McCreery, Office of War Information; Don McNamara, KFI-KECA; Lawrence McDowell, KFOX; Neville Miller, NAB; George Moskovics, KNX; Chester Matson, Edward Petry & Company; Harry Maizlish, KFWB; Marshall Neal, KWKW; Van Newkirk, KHJ; Don Otis, KFAC; Murray Ostroff, KFWB; Richard Powers, ASCAP; Jennings Pierce, NBC; Howard Ray, KPRO; Dorothy Roe, KFI; Oma Rhodes, KFI; Calvin J. Smith, KFAC; E. L. Spencer, KVOE; Chas. Storke, KTMS; Clyde Scott, KFI; L. A. Schampblin, KPMC; Glenn Snyder, KOY; Le Roy Spencer, KFI; Sidney Strotz, NBC; Col. Gordon Snow, Selective Service; Hal Sawyer, U. S. Navy Recruiting; Bob Schuetz, NBC; Harold Safford, KOY; Winifred Scott, KFI-KECA; Lyman M. Smith, KMTR; Bartley Sims, KWJB; F. J. Smalley, KFVD; Don Thornburgh, KNX; Leo B. Tyson, Blue Network; Ken Thornton, KXO; R. O. Tinkham, KMTR; M. A. Vroman, KFXM; Jimmy Vandiveer, KFI; W. S. Wiggins, KVOE; Harry Witt, KNX; Jack Willen, Press; Sgt. Wheeler, U. S. Marine Corps; Major Winch, U. S. Marine Corps; Lee Wynne, KGER; Karl Wyler, KTSM.

MORE ABOUT P-133

Some questions have arisen from the broadcasting industry as to how Preference Rating Order P-133 operates and what materials can be secured under Preference Rating Order P-133.

A WPB informant answers these questions as follows:

First, it is desired to point out that Limitation Order L-183 has no connection with Preference Rating Order P-133. The questions most generally asked regarding the assignment of Preference Rating P-133 are questions as to just what particular items can be purchased with the rating of A-1-j assigned to the order by the operators of broadcast stations. The following can be purchased with a rating of A-1-j assigned by the stations, in accordance with the form printed in the order.

Material necessary for maintaining equipment in good working condition or for the repair or reconstruction or restoration, without expansion, improvement or change of design of any portion of an operator's buildings, structures and equipment when it has been rendered unsafe or unfit by wear and tear or other similar causes but *not* including reconstruction or restoration of any portion damaged or destroyed by fire, flood, tornado, earthquake, Act of God or the public enemy or theft or other complete demolishment or loss.

The question asked in regard to such cases as lost or stolen remote amplifiers are answered by stating that the broadcast station must apply on Form PD-1A for replacement of equipment lost to service by such means as flood, fire, etc. In this way, each individual unit needed to be completely replaced is considered on its particular merits.

The purchase of recording discs cannot be made with the assistance of a preference rating assigned under P-133. This is pointed out in the Order where it states under operating supplies that the word does not mean recording discs, film or other recording media. The purchase of recording discs, if made through regular jobbing channels, should be done without the aid of priority assistance, the jobber securing a rating to give to his manufacturer by means of application to the War Production Board on Distributors' Form, PD-1X. Should the station be accustomed to purchasing the blanks directly from the manufacturer, he must apply to the War Production Board for preference rating of A-3 on Form PD-1A.

If vacuum tubes are not available and will require a higher rating than A-1-j to secure, application must be made on a PD-1A Form to the WPB for an assignment of rating. In order to comply with the inventory requirements specified in P-133, it should be pointed out on the back of the PD-1A Application that the tubes asked for will not increase inventory above the minimum necessary spare tubes. Likewise, care should be taken to point out that all tubes above 25 watts in power will be returned to the manufacturer upon purchase of new tubes asked for as must also be done when applying an A-1-j rating under P-133.

Too much emphasis cannot be placed upon the apparent need for all station engineers to take every means possible to conserve equipment.

It may be desirable to point to a few examples:

A new air-conditioning unit cannot be purchased under P-133 as a means of conserving tube life. If you did not have the unit to operate before, you cannot purchase one now under the term "Maintenance."

New remote amplifiers cannot be purchased to take care of increased remote broadcasts by the simple assignment of A-1-j preference rating to the Order.

If an amplifier burns out a power transformer, clean the wax out of the tube sockets, clean up the chassis as best you can, replace the power transformer with one you secure under a P-133 assignment of A-1-j but DO NOT buy a new amplifier.

If the stations sell more remote broadcasts than you have fixed amplifiers to install, do not assume that a new one is necessary to "maintain" your station. If you cannot make one out of the junk-box, you will just have to carry the portable unit around more often.

And by the way, if you have portable battery operated units, you had better make up an adaptor harness to convert it to standard batteries, since under Limitation Order L-71, no more odd size batteries are being made and only standard sizes will be available when stocks are depleted.

NETS TO SUPREME COURT

The Federal statutory three-judge court in New York last Monday dismissed on the merits, and without taking evidence, the CBS and NBC suits against the Government seeking to annul the FCC's network regulations and to enjoin the Commission from enforcing them. The court continued the stay order until February 1, 1943, or until such earlier time as the Supreme Court hears the argument on the appeals which the networks have announced they will take to that court. Under the Urgent Deficiencies Act the networks have the right of direct appeal to the Supreme Court.

William S. Paley, President of CBS, issued the following statement concerning the decision:

"We will take immediate steps to bring the case before the Supreme Court, which earlier in the year reversed a prior decision of this Statutory Court on the question of jurisdiction in the same case. We believe any enforcement of the proposed FCC rules would seriously jeopardize the vital role which network broadcasting is playing in the war effort, and we will vigorously defend our right to continue the nation wide service which we are rendering.

"The text of the Statutory Court decision seems to us to be based upon a narrow legalistic interpretation of the Communications Act with which we frankly disagree, and which wholly disregards the irreparable damage which might be done to American broadcasting. We are confident that no final determination of this case can ignore the fact that our present American system of broadcasting has produced the highest level of audience approval and of public service of any country in the world."

Niles Trammell, President of NBC, made the following statement:

"Steps will be taken immediately to perfect an appeal to the United States Supreme Court."

In response to requests for a statement, Chairman James Lawrence Fly of the FCC said: "The court's decision speaks for itself. I do not think any comment from me would be appropriate."

The opinion of the court in full is printed on pp. 659.

PHILADELPHIA TRAINING PROGRAM

To fill the vacancies in the ranks of broadcast technicians in the Philadelphia radio stations caused by the draft, enlistments in the Army and Navy, and departures to war industries, the Philadelphia Local of the American Communications Association proposed a training plan which calls for the cooperation of the Philadelphia radio station managements and the Board of Education.

At a meeting held November 16, 1942, in the studios of WFIL, representatives of the three groups went over details of the plan as presented by Charles C. Smith, Chairman of the Union Committee. The plan was unanimously adopted and will be placed immediately in operation.

The plan is applicable to two classes of trainees. The first class consists of persons who already hold operator's licenses but have had no practical experience in a radio broadcast station.

The second group of trainees will be those who have not yet had the theoretical course required for obtaining an operator's license.

In respect to the first group, the Union is selecting a tested list of qualified applicants who hold licenses. These applicants will be distributed and routed by the Union through the stations in such a manner that each applicant will spend one week in succession at each of the eight Philadelphia stations, all of which have joined in approving the plan. In this manner each applicant will receive eight weeks' actual experience in every variety of station, large and small. He will receive no pay for this training period which is arranged in hours when it will not interfere with the trainee's present employment. Likewise, the training he receives in the stations will be given by Union members, who will receive no extra pay for this effort. At the end of the eight weeks period of practical experience, if the applicant is approved by the Chief Engineers of the stations and by the Union Shop Stewards in the stations, he will be eligible for employment by the managements and, if employed, will come in under the existing agreements now in force between the Union and the eight Philadelphia stations. All the stations operate under CIO Union-Shop Agreements.

In respect to the second group, applicants approved by the Union as qualified will then be accepted as students at the Dobbins Vocational School, 22nd and Lehigh Avenue, where a course as radio technicians will be given under the supervision of W. E. Brunton, Associate Director of War Production Training of Philadelphia, under the Board of Education of Philadelphia. The course will contain subjects deemed essential by the Union, the Philadelphia station managements, and the school authorities. The teachers in this special course will be experienced technicians who are now members of the Union. They will be paid modest fees by the Board of Education War Training Plan. The equipment necessary for the laboratory work in the training course will be provided by the stations where possible and supplemented by equipment purchased by the Board of Education. The necessary books will be also provided by the Board of Education but will be available for purchase by the applicants.

The entire training plan will be placed in operation promptly. The first group of licensed applicants to receive practical station experience will consist of eight trainees, one to start in each of the eight stations. They will commence work Wednesday, November 18, 1942.

The first group in the theoretical course will consist of 25 applicants. Their course will commence Monday, December 7, 1942. The theoretical course will continue for 13 weeks, the requirement being 15 hours of school work per week. These hours will be 7:00 to 10:00 p. m., five nights a week. At the end of the theoretical course, if the applicant succeeds in passing the examination for the broadcast license, the applicant will then be eligible to go on to the eight weeks practical training course conducted by the Union in the stations.

This entire procedure is being supervised by Charles C. Smith, Chairman of the Union Committee, who has interviewed all applicants and assigned them by roster among the stations.

The meeting on November 16th was attended by Mr. Smith, Chairman of the Union Committee, and the following Union Committee members:

Dick Shipp—WPEN
Paul Krantz—WIBG
Frank Pfaff—WIP
I. N. Erney—KYW
C. E. Roder—KYW

Representing the stations, were Samuel R. Rosenbaum, President of WFIL, Chairman of the Management Committee, and the following station representatives:

WCAU—George Lewis, Chief Engineer
David P. Gillett
KYW—Ernest Gager, Chief Engineer
WIP—Benedict Gimbel, Jr., President,
Clifford Harris, Chief Engineer
WHAT—Milton Laughlin, General Manager
WIBG—Edward Clery, General Manager
WPEN—Arthur Simon, General Manager
WDAS—Alexander W. Dannenbaum, Sr.

The Board of Education was represented by:

W. E. Brunton, Associate Director of War Production Training of Philadelphia
I. N. Baker, Principal of Dobbins Vocational School
L. J. Lipp, Coordinator—Dobbins Vocational School, 22nd and Lehigh Avenue

In announcing the adoption of the plan, Mr. Rosenbaum said: "This evidence of constructive forethought by the Union for the benefit of the industry is an example of the excellent and friendly relations which exist in Philadelphia between the employers and the Union. The operation of the plan requires hearty cooperation from the stations which it will receive. However, the amount of work involved from the Union Committee is far greater than the effort required from the stations. The Union is rendering a real service to the cause in which all parties are interested."

November 17, 1942.

RADIO COURSES IN PORTLAND

This is the story of the cooperation of Portland, Oregon, radio stations in promoting the training of radio technicians in accordance with the plan National Association of Broadcasters worked out with the U. S. Office of Education. Information was forwarded by Harry Spence, KXRO, Aberdeen, Washington, director of NAB District 17, as received from Chief Engineer Harold C. Singleton, KGW-KEX, Portland. Mr. Singleton supervised classes in Portland, assisting Professor Arthur Albert, Oregon State College, who was designated by Dean Dearborn to supervise this work. Last January stations in Portland and Oregon began publicizing the radio training classes.

Students Make Good

Over 300 persons responded to the announcements over Portland stations last January. Three courses of approximately 35 students each were organized to begin Part I, Fundamentals of Radio. Out of the graduates of this group were supplied a number of radio men to the armed forces. Nine went into Navy Radar work. Seven passed the FCC examination for second class radiotelephone license. One man secured a first class radiotelephone license. Many men report that they got better jobs servicing, etc., as a result of taking the training course, and a couple of women got into radio work at the conclusion of the class.

The above classes were conducted at Benson Polytechnic School where students had the use of radio shop facilities. At the end of the first course Dean Dearborn, Prof. Ben Nichols and Prof. Arthur Albert proposed that a new series of classes be organized in Portland.

Navy to the Front

At that time Engineer Singleton proposed working in close harmony with the Navy and plans were perfected with Chief Gibson, in charge of radio recruiting at the Portland Navy Recruiting office.

Emphasis on mathematics was a desired feature of the courses and Rose Singleton, who received her degree in mathematics and science, including radio, offered to assist in this part of the work. The success of this class exceeded original expectations. This program has now been expanded and has grown to be the most important of the ESMWT radio training work in Portland.

Results

Three Pre-Radar classes have been graduated. Eight Pre-Radar classes are now in progress. And in addition to these Navy classes, there is a class in Fundamentals of Radio Part I and a class in Fundamentals of Radio Part II, now in progress.

"Numerous men and women desiring to enter other services have inquired about getting our math and radio work," reported Mr. Singleton. "To accommodate these people we featured one of our recent classes as being open to anyone intending to go into radio work in the WAVES, Navy, WAAC, Signal Corps, Air Forces, Coast Guard and Marines.

"Lt. Wendt and Chief Day, stationed with the Seattle recruiting office, recently came to Portland and went over the details of the course with the idea of starting similar classes in Seattle.

"Some of the men enlisted before entering our classes and they were given 90 days in active duty status to complete the work. Others completed the course, receive their ratings and then enlist. We usually have a few in the class who have applied for commissions in the Radar Branch, and who take the course as a brush-up while waiting for their commissions.

"Lt. Comdr. DeGrave and Ensign Smith have expressed their appreciation for the cooperation in training these men for Navy Radar service."

Instructors, beside Engineer Singleton, and Rose Singleton include: Ralph Deardorff; Howard Beckendorf; Ensign Smith; Nathon Director; Jay Mangan; Mike Meihoff; Martin Lantz; George Barger; and Kenneth Aldrich, most of whom are communications engineers connected with P. T. and T. Company and the Bonneville Administration.

10 SECTIONS IN RADIO AT MANHATTAN

Brother Victor and Brother Leo, respectively President and Dean of Engineering, Manhattan College, New York City, visited NAB headquarters, yesterday, Nov. 19. Ten sections of the Fundamentals of Radio are currently being taught at Manhattan, three of which are Part II, according to these officials. First students to complete Part II were graduated in October, after 32 weeks of study, three hours per night, three nights per week. They have all been absorbed.

NAVY THANKS WESTERN STATIONS

The help in recruiting Radio Technicians which radio stations in the eleven states comprising the Navy's Western Division has extended, is acknowledged in a letter to NAB, by Lieut. A. P. Matthews, Assistant Recruiting Inspector, San Francisco.

Lieut. Matthews worked as Radio Technician Procurement Officer under direction of Captain E. B. Lapham, Recruiting Inspector. It is his purpose to secure "green" men with proper prerequisites for in-service training as Radar maintenance men.

Quoted below are several lines from Lieut. Matthews' letter which we are passing on to western broadcasters:

"I cannot sign off without taking this opportunity of personally expressing to you the cooperation *every* radio station in the Western Division—the eleven western states upon whom I called—has given. It has been swell regardless of location, size, network or independent. The personnel at our recruiting stations has taken me and many others over for fifteen-minute interviews, etc., on our Radio Technician program. And, of course, the many "free" hours, etc., certainly show that NAB is sure fighting this war along with the men in uniform."

PLEASE TELL US THE FACTS!

Letters from station managers frequently comment on the employment of students at their stations of men and women who have attended the ESMWDT-NAB course in the Fundamentals of Radio. It will be helpful to NAB in dealing with the manpower problem to receive additional information as to the value of these courses.

Elsewhere in today's Reports it is revealed that Portland, Oregon, classes produced graduates who passed first and second class radiotelephone examinations. And in October Ed Allen, manager, WIBA, Madison, Wis., wrote that two graduates of Fundamentals of Radio were working at his station. Other reports have been received from New York state. Ohio, Texas and Pennsylvania saying that the situation had been greatly improved there by these courses.

Though this is the first time NAB has actually asked for such information it will be appreciated if you will forward definite facts, like above examples, at your early convenience. Even if you have done so before, as a part of a letter, it will be helpful if you will compose a letter on this one subject alone.

"CHURCH CANVASS" COMMITTEE

The Radio Committee of United Church Canvass, headed by Niles Trammell of NBC, is made up of the following additional members:

Birt Fisher, KOMO, Seattle; John Hogan, WQXR, New York; Alfred J. McCosker, WOR, New York; William S. Paley, president, CBS; O. L. Taylor, KTSA, San Antonio; Mark Woods, president of the Blue network.

KVOO COONTZ NOW MARINE OFFICER

Edward C. Coontz, former program director of KVOO, Tulsa, was commissioned Second Lieutenant, the Marine Corps, last Saturday, November 14. This followed his successful completion of work in the Officer Candidate Class at Quantico. His address at the present time is: 2nd Lt. Edward C. Coontz, 15th R.O.C., Barracks B, Quantico, Virginia.

COST OF LIVING

The Labor Department reports that the cost of living rose one per cent from September 15 to October 15. The increase since May 15 has been 2.6 per cent.

BWC SHORT WAVE ORDER

Following is the official order of BWC in connection with the closure of international broadcast stations WRUL, WRUS, and WRUW, already announced:

WHEREAS, The Board of War Communications has determined that the national security and defense and the successful conduct of the war demand that the operation of International Radio Broadcast Stations WRUL, WRUS, and WRUW shall be subject to control by the Government of the United States;

NOW THEREFORE, By virtue of the authority vested in the Board;

IT IS HEREBY ORDERED, That International Radio Broadcast Stations WRUL, WRUS, and WRUW BE, AND THEY ARE HEREBY, DESIGNATED FOR CLOSURE and, effective immediately, ARE HEREBY CLOSED;

IT IS FURTHER ORDERED, That notwithstanding the provisions of the paragraph immediately preceding, effective immediately, the Office of War Information, on behalf of the United States of America, BE, AND IT HEREBY IS authorized to use and control the said international radio broadcast stations and any or all of their apparatus and equipment in accordance with the terms of Executive Order 8964 of December 10, 1941, and the Federal Communications Act of 1934, as amended, all in such manner and upon such further terms as the Director of the Office of War Information may deem necessary for the national security and defense and the successful conduct of the war.

Subject to such further Order as the Board may deem appropriate.

FEDERAL COMMUNICATIONS COMMISSION

FLY PRESS CONFERENCE

Chairman James Lawrence Fly, of the FCC, indicated at his press conference on Monday that this week he would send a report to Senator Wheeler, Chairman of the Senate Committee on Interstate Commerce, in the form of a letter dealing with the recent complaint of the Cooperative League. If the report is to be made public, it will be given out by the Senator.

Chairman Fly was questioned at his conference regarding the new Manning Table Plan of the War Manpower Commission. Mr. Fly said that the Commission has done nothing regarding this plan.

Discussing this particular plan and the manpower situation as it affects the broadcasters, Mr. Fly said:

"After all, that is a matter for the decision of the Selective Service and the War Manpower people. All I can do is cooperate with them—studies and investigations and recommendations and help them understand—the main job has been done here—largely by the industry, in arriving at definitions and the understanding of the jobs and functions. But we are not in a position to make the decisions. I don't mean to say the problem is not acute; of course it is acute. And that is the reason we have such a great and continuing interest in it, but the whole manpower problem in all industries is acute."

PER-INQUIRY DEALS

Director & Lane, advertising company of New York City, is asking for per-inquiry business in behalf of Arco Publishing Company's book, "Practice Tests for the Army."

The Harold Dellon Music Co., Cleveland, O., are submitting per-inquiry deals to the stations in an effort to sell their songs.

OPINION

IN UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

NATIONAL BROADCASTING COMPANY, INC., WOODMEN OF THE WORLD LIFE INSURANCE SOCIETY AND STROMBERG-CARLSON TELEPHONE MANUFACTURING COMPANY, Plaintiffs,

v.

THE UNITED STATES OF AMERICA, The FEDERAL COMMUNICATIONS COMMISSION and MUTUAL BROADCASTING SYSTEM, INC., Defendants.

CIVIL 16-178

COLUMBIA BROADCASTING SYSTEM, INC., Plaintiff,

v.

THE UNITED STATES OF AMERICA, Defendant.

FEDERAL COMMUNICATIONS COMMISSION and MUTUAL BROADCASTING SYSTEM, INC., Interveners.

CIVIL 16-179

Before: L. HAND, C.J., and GODDARD and BRIGHT, D.JJ.

On motions by the defendants for summary judgments dismissing the complaints herein in two actions to "annul" certain regulations of the Federal Communications Commission and to enjoin the Commission from enforcing them.

L. HAND, C.J.: These cases come before us a second time upon motions made by the defendants and the Mutual Broadcasting System—which has intervened—summarily to dismiss the complaints. The motions are made upon the complaints, upon certain affidavits of the counsel for the Commission, upon the Commission's report and all the proceedings and evidence before it, and—we shall assume—upon the affidavits filed by the plaintiffs on their motions for preliminary injunctions. We shall not repeat the outline of the controversy as set forth in our opinion in 44 Fed. Suppl. 688, and in that of the Supreme Court which reversed our judgments dismissing the complaints, 316 U. S. 407; but shall proceed directly to consider the points raised.

The most important of these is whether the Commission had power to pass the challenged regulations. Everyone agrees that in granting licenses under § 309 of Title 47, U. S. Code, it must distribute the available wave lengths so as to give greatest possible service, and that it must see to it that all applicants have the necessary technical ability to broadcast programs, that the stations are properly constructed and properly manned and do not interfere with other stations, and that the licensees are responsible, morally and financially. All these things and perhaps more, the Commission may regulate in discharge of its duty to promote the "public convenience, interest, or necessity." The regulations at bar have, however, nothing to do with these qualifications of a licensee; they are addressed, not to his ability to broadcast any programs which he may accept, but to his freedom to procure other programs than those to which by contract with, or by the control of. the "networks" he is limited; they touch, not how he shall broadcast, but how unrestricted he shall be in doing so. The plaintiffs say that, judged both by its history and by its language, the Act gave the Commission power to consider only the qualifications first specified, leaving outside any administrative control all arrangements by which a station secures its programs. They say that, although it is true that § 313 makes "all laws * * * relating to unlawful restraints * * * applicable to * * * interstate or foreign radio communications," and that the courts have jurisdiction in this way to annul monopolies or restrictive contracts which affect broadcasting, only courts may do so; the Commission must disregard any such considerations when deciding whether to grant or refuse a license.

Section 303 defines the Commission's powers; its original was § 4 of the Radio Act of 1927 which had eleven subdivisions, of which the first ten were the same as the first eleven of § 303 except for a new subdivision ("g") introduced into § 303. The eighth subdivison ("h") of § 4 of the Radio Act (now the ninth ("i") of § 303) gave the Commission "authority to make special regulations applicable to radio stations engaged in chain broadcasting;" and on it the Commission particularly relied. The plaintiffs answer that it was meant merely to give the Commission control over the power and wave-lengths used by stations while connected with "networks" for "chain broadcasting." It was introduced by an amendment in the Senate and originally read that the Commission should have power, "when stations are connected by wire for chain broadcasting," to "determine the power each station shall use and the wave lengths to be used during the time stations are so connected and so operated, and make all other regulations necessary in the interest of equitable radio service to the listeners in the communities or areas affected by chain broadcasting." The first clause of this amendment was indeed limited as the plaintiffs say; but the same was not true of the second clause.

"Equitable radio service to the listeners" was a comprehensive phrase; read most naturally, it should include the best possible service compatible with such burdens as it was reasonable to impose upon the "networks" and their "affiliates"—"equitable," that is, in the sense that the interests of both sides were to be weighed. The fact that the occasion for the amendment appears to have been the Senate's apprehension that the "networks" might drown out "unaffiilated" stations, by no means circumscribed the scope of these words. This amendment finally emerged from Conference and was enacted, in the broad terms we have quoted; it would be altogether unwarranted to assume that it was intended to adopt the limited clause and to abandon the general one. We may start therefore with the strong probability that even in the Radio Act of 1927 the Commission had power by virtue of this subdivision to regulate "chain broadcasting" generally in the interest of "listeners."

The amendment to § 303 of the Communications Act of 1934, that is, the interpolation of subdivision "g," confirms this interpretation. That subdivision reads as follows: "Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest." We can see no reason for confining the last clause to scientific or engineering problems; the purpose is apparent to give the Commission power to foster the industry in all appropriate ways. It is not clear that this was a new purpose; but if it was, it infused the powers already granted in the earlier act, broadening them in accord with the changed outlook—the power granted under subdivision "i" among the rest. The duty—for the power imposed a corresponding duty—to "encourage" the "larger" use of radio incidentally presupposed a power to prevent the frustration of the purpose so disclosed; we are not to construe the section as at war with itself. Therefore, even if § 303 stood alone, we should hold that subdivision "i" granted power to the Commission to consider the effect upon a station's choice of programs of any controls or restrictions exercised by the "networks."

However, § 303 does not stand alone. In addition to providing that all laws "relating to unlawful restraints and monopolies and to combinations, contracts, or agreements in restraint of trade" should apply to "radio communications," § 313 also took over from § 15 of the Act of 1927 the provision that in actions brought under those laws or in proceedings to enforce orders of the Federal Trade Commission, whenever "any licensee shall be found guilty of the violation of the provisions of such laws or any of them, the court, in addition to the penalties imposed by said laws, may * * * decree that the license of such licensee shall * * * be revoked." As will be observed, revocation was here made a penalty like other penalties for monopoly or restraint of trade; the courts were not to use it as a means of compelling a licensee to furnish service free from unlawful restrictions, but to punish him for his past misconduct, the discretion accorded them being exercised according to the degree of his "guilt." This was in harmony with the general scheme, for a court is not in good position to know how far a monopolistic or unfair competitive practice may interfere with "the larger and more effective use of radio in the public interest"; if any official was competent to do so, it was the Commission. Section 13 of the Radio Act of 1927 had provided that if a court revoked a license, the Commission must refuse to renew it, but it had stopped there; and, as the law then stood, it might perhaps have been argued with some show of plausibility that an applicant's monopolistic or unfair competitive practices in the past were not relevant to the grant of a license.

However that may have been, § 13 was amended in 1934 by adding a new clause, and the resulting § 311, in addition to retaining the old language forbidding the restoration of a forfeited license, contained a new one providing that the Commission is "authorized to refuse such station license" whenever the applicant had been "finally adjudged guilty" by a "Federal court of * * * attempting unlawfully to monopolize radio communication * * * or to have been using unfair methods of competition." That power was certainly not to be used as a punishment; the Commission was not to overrule the court which had decided not to impose the penalty. Such a power would have been open to serious constitutional objection. What use then was the Commission to make of an adjudication of the applicant's "guilt"? Only, we submit, by considering it as evidence that, if granted a license, he would not use it for the "public convenience, interest, or necessity," i.e. that the grant of a license would not "encourage the larger and more effective use of radio in the public interest." The necessary implication from this was that the Commission might infer from the fact that the applicant had in the past tried to monopolize radio, or had engaged in unfair methods of competition, that the disposition so manifested would continue and that if it did it would make him an unfit licensee. Thus, whatever may have been the limits of the Commission's earlier powers, manifestly after 1934 they included a consideration of how far licensees might be improperly restricted in the exploitation of their licenses.

The plaintiffs do not concede even this, as we understand it, but in any event they insist that the exercise of any such power was conditioned upon an earlier adjudication by some court. We can see no reason to suppose (although apparently the Commission does not agree) that an applicant's violation of the statutes against monopoly and unfair competition, as such and alone, ever disentitles him to a license. It is indeed evidence relevant to his fitness for the reasons we have just given; but it is such only as any past conduct may be an earnest of what is to be expected in the future, and because a repetition would be prejudicial to the public interest. We construe this clause of § 311 as going no further than to provide the Commission with an estoppel as to any facts which a court may have found; these may be taken as data for any rational inference that can be drawn from them relevant to the ultimate issue; but "guilt" as "guilt" is not the ultimate issue. Certainly that is the only effect which it is necessary to give the clause; there is not the slightest warrant for inferring that in the absence of an adjudication, the Commission may not determine what has been an applicant's past conduct, or may not consider how far, if repeated, it would interfere with the fullest use of his license. Whatever may be the mysteries enveloping an adjudication of "guilt" under the Anti-Trust laws which make that issue unfit to be entrusted as such to profane hands, the Commission is certainly peculiarly conpetent to appraise the effect upon broadcasting of restrictive or monopolistic practices, and is as competent to decide whether an applicant is likely to engage in them as it is to decide any of the other issues which come before it. The decision in *Federal Communications Commission* v. *Sanders Brothers Radio Station*, 309 U. S. 470, is irrelevant; the only question decided was whether the injury suffered by an existing station was a material factor in licensing a new station.

The plaintiffs next challenge the regulations because they lay down general conditions for the grant of licenses instead of reserving decision until the issues arise upon an application. Such a doctrine would go far to destroy the power to make any regulations at all; nor can we see the advantage of preventing a general declaration of standards which, applied in one instance, would in any event become a precedent for the future. It may perhaps be true that a party, who had no notice of the hearings before the Commission and no opportunity to present his side, would be entitled, when applying for a license, to a reconsideration of those findings upon which the regulations rested. None of the plaintiffs at bar are in that position; they were amply advised of what the Commission proposed; they were invited to attend; all but the co-plaintiff "affiliates" of the National Broadcasting Company did so, put in whatever evidence they wished and were heard before the original regulations were passed, and again at the rehearing. They at any rate were accorded all the privileges they would have had if they had intervened in an application for a license. It would be futile after the expenditure of so much time and labor to hold that the proceedings were only advisory and concluded nobody; indeed, the mere fact that the regulations are "orders" reviewable under § 402(a) would seem to preclude such a conclusion. We do not understand the Supreme Court to mean that every minatory gesture of the Commission is reviewable under that section.

The next objection is that the Commission did not really find that the forbidden practices worked against "the public convenience, interest, or necessity," but that it rested upon its supposed duty to deny the applications of all who proposed to use their licenses in violation of the Anti-Trust laws. The Commission in one passage of its report does indeed seem so to have understood the statute, though it would scarcely be fair to say that it held as much; but, be that as it may, it did not base its action upon that theory. It made specific findings in the case of each regulation that the contract or the control which it forbade was against the public interest because it took away the stations' free choice without any corresponding advantage to the industry as a whole. Each regulation was a specific exercise of power, addressed to a particular practice which interfered with the most "effective use of radio in the public interest."

The only constitutional objections which we need consider are two: that the standard set by § 303 ("public convenience, interest, or necessity") is too vague; and that the regulations invade the privilege of free speech. Although the Supreme Court has twice at least upheld the standard when applied to the construction of stations or to the allocation of wave lengths (Federal Radio Commission v. Nelson Brothers Bond & Mortgage Co., 289 U. S. 266, 285; Federal Communications Commission v. Pottsville Broadcasting Co., 309 U. S. 134, 137, 138; (semble) Panama Refining Co. v. Ryan, 293 U. S. 388, 428), the plaintiffs insist that it will not serve if used to regulate the business arrangements of a station. We are assuming that when so used it demands the widest practicable variety in the choice of programs available for broadcasting; that system which will most stimulate and liberate the ingenuity of those who purvey them to the public. There can be no doubt that, if the introductory clause of § 303 will bear that construction the test is definite enough—and indeed peculiarly adapted to the putative proficiency of the Commission in its field. Nor can we see why, when applied to the issue of the licensee's freedom from restraint, the test is not a fair gloss to be imposed upon the clause. It is impossible in a single rubric to specify all the occasions to which it will apply, and the effort at specification is usually abortive for they cannot all be foreshadowed. It is enough if the delegated power be so defined that a clue can be found in it for dealing with the several occasions which may arise. That seems to us to be the situation here.

The argument drawn from the First Amendment, as we understand it, is this. It is true that the regulations do not profess directly to control what programs the stations may broadcast; but they do so indirectly. They do this by forbidding them to make the forbidden contracts with "networks" even though they believe that these will bring them better programs than they can get in any other way; and it is not necessary for a law directly to control the substance of an utterance for it to invade the right of free speech. We agree that the regulations might be invalid though they do not prohibit programs on the basis of their contents; they do fetter the choice of the stations; absolutely free choice would include the privilege of deciding that they preferred the opportunities open to them under the "networks" contracts to those which would be otherwise available. The Commission does therefore coerce their choice and their freedom; and perhaps, if the public interest in whose name this was done were other than the interest in free speech itself, we should have a problem under the First Amendment; we might have to say whether the interest protected, however vital, could stand against the constitutional right. But that is not the case. The interests which the regulations seek to protect are the very interests which the First Amendment itself protects, i.e., the interests, first, of the "listeners," next, of any licensees who may prefer to be freer of the "networks" than they are, and last, of any future competing "networks." Whether or not the conflict between these interests and those of the "networks" and their "affiliates" has been properly composed, no question of free speech can arise.

The last question upon the merits is whether the Commission's findings are so plainly without support in the evidence as to be "arbitrary or capricious," § 402(e); that is, whether the regulations are certain not to promote the "public convenience, interest, or necessity." A majority of the Commission, after a long and painstaking investigation, has concluded that the net result will be to give a larger choice to stations without sensibly diminishing the services of "chain broadcasting," which the report highly commended. We are asked to say that there is no reasonable basis for such a conclusion; to say that no reasonable person could find in the evidence any support for it. The industry at large holds conflicting views; the plaintiffs on the one hand believe that the prohibitions will in the end destroy "chain broadcasting" altogether; the Mutual Broadcasting System and a number of other interested persons think otherwise. Each side has stated its reasons and the Commission has chosen. It was created to make such choices because Congress believed that it would acquire in its special sphere a skill which courts could not match: and it is now horn-book law that the conclusions of such tribunals are not to be disturbed except in the plainest case. That doctrine applies here with especial force just because the findings are necessarily prospective; time alone can decide their success or their failure.

The measure of our power is to say whether there was any substantial evidence that the added freedom given to stations will outweigh the reduction in the opportunities which will remain open to the "networks." We cannot say that there was no such evidence. To take the regulation which is the head and front of the Commission's offending—3.104—it indeed does limit the power of a "network" to furnish large advertisers with the time of all its "affiliates," for it must always run the risk that after its last inquiry a station may have "sold" to another "network" the time which it proposed to "buy" of that station. On the other hand, it is certainly possible that the present contracts give the "networks" so strong a hold upon the industry as to keep down competition which would prove beneficial. Upon such an issue nobody who is not steeped in the details of the business is really entitled to an opinion, and indeed even the opinions of those who are so steeped must be largely speculation. But that does not mean that the industry must be left to itself; the Commission was created precisely to say how far it was best to let things stand, and how far to intervene.

There remains only the question of precedure: whether a motion for summary judgment is proper, or whether, as the plaintiffs argue, the causes should go to trial and be heard upon evidence taken de novo. That depends upon what effect we should give to the Commission's findings. If the plaintiffs intervened in a proceeding by one of their "affiliates" for the renewal of a license, they could not compel the Commission to reconsider the findings of the report. As we have said, they had had adequate notice and full opportunity to be heard; indeed neither of the complaints alleges that they had not. Upon appeal to the Court of Appeals of the District of Columbia under § 402(b), the whole record before the Commission upon the hearings which resulted in the regulations would be part of the record, and the only issues open would be whether there was substantial support for the findings in the record, and whether the findings were "arbitrary or capricious," § 402(e). That record and those issues are before us here. The plaintiffs did not choose to wait and intervene, but adopted the alternative of an action in equity to "set aside" and "annul" the regulations as "orders." The reason that they have been allowed to proceed in this way is that the regulations inflicted a present injury upon them from which they were entitled to present relief; but the determining issues in each case are the same. Congress, having meant the validity of an order refusing a license to be determined as an appeal upon the record made before the Commission, cannot have meant to allow a larger scope of review because the Commission threatens for the same reasons to refuse all licenses.

This is confirmed by considering what use we could make of any evidence if we took it. It might go to show that the Commission had failed to give adequate notice to the plaintiff of what it proposed, or an adequate opportunity to put in their own evidence, or an adequate hearing upon all the evidence; but aside from the fact that the record is before us and does not bear out such a contention, neither complaint, as we have just said, alleges anything of the kind. On the other hand, if the evidence went to contradict or overthrow the findings, we could not bring it into hotchpot with the evidence taken by the Commission, without deciding the issues in the first instance ourselves. We have no such power; it would upset the whole underlying scheme of an expert commission, whose orders must stand or fall upon such evidence as it had before it. *Tagg Bros. & Moorhead* v. *United States*, 280 U. S. 420; *Acker* v. *United States*, 298 U. S. 426. If an aggrieved party wishes to supplement that evidence he must apply to the Commission itself, § 405.

The plaintiffs somewhat faintly invoke the doctrine of *Crowell* v. *Benson*, 285 U. S. 22, *Baltimore & Ohio Railroad Co.* v. *United States*, 298 U. S. 349, and *St. Joseph Stock Yards Co.* v. *United States*, 298 U. S. 38. Assuming that that doctrine is still law (*Railroad Commission of Texas* v. *Rowan & Nichols Oil Co.*, 310 U. S. 573; S. C. 311 U. S. 570), it does not apply. The "networks" are indubitably engaged in interstate commerce and so are their "affiliates"; it is a question of law, not of fact, whether the regulations are within the Commission's powers, and the only issue of fact, assuming it can be called such, is whether there was evidence to support the findings. Unless the distinction between what is jurisdictional and what goes to the exercise of a power is to disappear altogether, the Commission's jurisdiction did not depend upon whether they rightly estimated the "public convenience, interest, or necessity."

The complaints will be dismissed; and as there has been no trial, we need make no findings. As before, we will grant a stay, this time until February 1, 1943, or until the argument of the appeal in the Supreme Court, whichever is earlier. The same findings which we then made will serve with slight verbal changes. We are filing the judgments, the stays and findings along with this opinion.

Complaints dismissed.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 23. They are subject to change.

Thursday, November 26

WLW—The Crosley Corp., Cincinnati, Ohio.—Modification of license, **700 kc.,** 50 KW day, 500 KW night, unlimited, using W8XO transmitter.

Wednesday, November 25

WRDO, Inc., Augusta, Maine.—C. P., **1400 kc.,** 250 watts, unlimited.

Further Hearing

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Modification of license, **1230 kc.,** 250 watts, unlimited.

Monday, November 23

The Voice of The Orange Empire, Inc., Ltd., Santa Ana, Calif.—C. P., **1480 kc.,** 1 KW, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KFDM—Beaumont Broadcasting Corp., Beaumont, Texas.—Granted construction permit (B3-P-3500) to install a new transmitter.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted extension of special service authorization (B3-SSA-48) for period not to exceed expiration date of construction permit, March 13, 1943.

DESIGNATED FOR HEARING

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Designated for hearing modification of license application (B2-ML-1134) to change frequency from **1490** to **1330 kc.,** and reduce nighttime power to 100 watts, unlimited time.

LICENSE RENEWALS

Granted renewal of following station licenses for the period beginning December 1, 1942, and ending in no event later than December 1, 1944:

KDFN, Casper, Wyo.; KERN, Bakersfield, Calif.; KFJM, Grand Forks, N. D.; KGNO, Dodge City, Kans.; KILO, Grand Forks, N. D.; KIDO, Boise, Idaho; KLRA, Little Rock, Ark.; KSLM, Salem, Ore.; KTBS and auxiliary, Shreveport, La.; KTSM, El Paso, Tex.; KUJ, Walla Walla, Wash.; KWK, St. Louis, Mo.; KXYZ, Houston, Tex.; WAKR, Akron, Ohio; WAWZ, Zarephath, N. J.; WBCM, Bay City, Mich.; WBIG, Greensboro, N. C.; WBNS and auxiliary, Columbus, Ohio; WBRY, Waterbury, Conn.; WBYN and auxiliary, Brooklyn, N. Y.; WCSC, Charleston, S. C.;

WFBL, Syracuse, N. Y.; WGAR and auxiliary, Cleveland, Ohio; WHEC, Rochester, N. Y.; WHIS, Bluefield, W. Va.; WHP and auxiliary, Harrisburg, Pa.; WIRE and auxiliary, Indianapolis, Ind.; WKBH, La Crosse, Wisc.; WMBG and auxiliary, Richmond, Va.; WROK, Rockford, Ill.; WSAN, Allentown, Pa.; WSFA, Montgomery, Ala.; WSPD, Toledo, Ohio; WWSR, St. Albans, Vt.

Granted renewal of following station licenses for the period ending in no event later than February 1, 1943:

KGEK, Sterling, Colo.; KPHO, Phoenix, Ariz.; KYSM, Mankato, Minn.; WJNO, West Palm Beach, Fla.

Granted renewal of following station licenses for the period ending in no event later than April 1, 1943:

KFBC, Cheyenne, Wyo.; KMAC, San Antonio, Tex.; KOVO, Provo, Utah; KPFA, Helena, Mont.; WPAX, Thomasville, Ga.; WRAL, Raleigh, N. C.

Granted renewal of following station licenses for the period ending in no event later than June 1, 1943:

KAND, Corsicana, Tex.; KVOX, Moorehead, Minn.; KWLM, Willmar, Minn.; WFIG, Sumter, S. C.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Granted renewal of license for the period ending not later than August 1, 1944.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license for the period ending not later than October 1, 1944.

WNAB—Harold Thomas, Bridgeport, Conn.—Granted renewal of license for the period beginning December 1, 1942, and ending in no event later than October 1, 1943.

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Granted renewal of license for the period beginning December 1, 1942, and ending in no event later than December 1, 1943.

Granted renewal of following station licenses for the period beginning December 1, 1942, and ending in no event later than December 1, 1944:

KABR, Aberdeen, S. D.; KCMO, Kansas City, Mo.; KELA, between Centralia and Chehalis, Wash.; KGER, Long Beach, Calif.; KGNC, Amarillo, Tex.; KGNF, North Platte, Nebr.; KLPM, Minot, N. D.; KMED, Medford, Ore.; KSO, Des Moines, Iowa; WFEA and auxiliary, Manchester, N. H.; WMBD, Peoria, Ill.; WMPS, Memphis, Tenn.; WNBC and auxiliary, Hartford, Conn.; WPAB, Ponce, Puerto Rico.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted renewal of license for the period beginning December 1, 1942, and ending in no event later than October 1, 1943, for main and synchronous amplifier.

KFXM—J. C. Lee and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Granted renewal of license for the period ending in no event later than April 1, 1943.

WBIR—J. W. Birdwell, Knoxville, Tenn.—Granted renewal of license for the period ending in no event later than April 1, 1943.

WFHR—William F. Huffman, Wisconsin Rapids, Wisc.—Granted renewal of license for the period ending in no event later than June 1, 1943.

KSWO—Willard Carver and Byrne Ross, Lawton, Okla.—Granted renewal of license for the period ending in no event later than August 1, 1944.

WNEL—Juan Piza, San Juan, Puerto Rico.—Granted renewal of license for the period ending in no event later than October 1, 1944.

KFRO—Voice of Longview, Longview, Texas.—Granted renewal of license for the period ending in no event later than December 1, 1944.

MISCELLANEOUS

WMIS—Natchez Broadcasting Co., Natchez, Miss.,; WGRM, P. K. Ewing, Greenwood, Miss.—Passed for two weeks motion to take depositions in re applications for renewal of licenses.

WKBW-WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted motion to postpone hearing now scheduled for November 20 to December 8, in re applications for renewal of licenses, main and auxiliary.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted petition to intervene in the hearing on application of WMRO, Aurora, Ill., for modification of license (B4-ML-1112).

WHKC—United Broadcasting Co., Columbus, Ohio.—Denied motion to cancel hearing now set for December 2 in re application for construction permit (B2-P-2833), and the Commission on its own motion continued said hearing to December 16.

WIOD—Isle of Dreams Broadcasting Corp.; Miami, Fla.—Granted motion to dismiss without prejudice, application for construction permit (B3-P-3463).

Raymond C. Hammett, Talladega, Ala.—Granted request for dismissal without prejudice of application for construction permit (B3-P-3365).

WINK—Mid-American Broadcasting Corp., Louisville, Ky.—Granted petition to dismiss without prejudice application (B2-MP-1589) for modification of license.

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of construction permit (B5-P-3100, as modified, for installation of directional antenna for day and night use, and increase in power) for extension of completion date from November 16 to December 16, 1942 (B5-MP-1663).

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Granted modification of construction permit (B5-P-3096, as modified, for new equipment, increase in power, installation of directional antenna for night use, and move of transmitter) for extension of completion date from November 12 to December 12, 1942 (B5-MP-1666).

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Granted license to cover construction permit (B4-P-3269) as modified, for changes in directional antenna for night use, installation of new transmitter, and increase in power (B4-L-1724); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1460).

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska—Granted license to cover construction permit (B-P-3436) as modified, for increase in power and new transmitter (B-L-1725); granted authority to determine operating power by direct measurement of antenna power (B-Z-1462).

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted license to cover construction permit (B5-P-3030) as modified, for increase in power and installation of directional antenna for day and night use (B5-L-1700); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1428).

WAKR—Summit Radio Corp., Summit, Ohio—Granted license to cover construction permit (B2-P-3038) as modified. for increase in power, changes in directional antenna for night use only, and install new transmitter (B2-L-1722); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1458).

W8XCT—The Crosley Corp., Cincinnati, Ohio—Granted modification of construction permit (B2-PVB-23, as modified, for new experimental television broadcast station) for extension of completion date only, from October 28, 1942, to April 28, 1943 (B2-MPVB-89).

WALB—Albany Publishing Co., Albany, Ga.—Continued from November 19 to December 15 the consolidated hearing on applications of WALB for renewal and voluntary assignment of license and construction permit to change frequency.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Dismissed without prejudice application (B2-P-2894) for construction permit to install new transmitter, directional antenna and increase power to 5 KW.

WEW—St. Louis University, St. Louis, Mo.—Denied Special Service authorization (B4-SSA-51) to increase operating hours from daytime to unlimited.

WLW—The Crosley Corporation, Cincinnati, Ohio—Granted motion to continue hearing now set for November 26 to December 9, in re application for modification of license to operate with 500 kilowatts night.

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Cal.—Granted motion for postponement of hearing now set for November 23 and continued same to January 6, 1943, in re application for construction permit (B5-P-3482). Also granted petition for order to take depositions.

WMIS—Natchez Broadcasting Co., Natchez, Miss.; WGRM, P. K. Ewing, Greenwood, Miss.—Denied motion for continuance of hearing now set for December 9 and severance from the hearing on Dockets 6331 and 6332.

KOBH—Black Hills Broadcasting Co. of Rapid City, Rapid City, S. Dak.—Granted motion for order to take depositions in re application for construction permit (B4-P-3339).

K5IL—St. Louis University, St. Louis, Mo.—Denied motion for continuance of hearing, and granted dismissal without prejudice of application (B4-MPH-109).

KWFT—Wichita Broadcasting Co., Wichita Falls, Texas—Granted petition to dismiss without prejudice application for modification of license (B3-ML-1057).

Olympic Radio Company, Hoquiam, Wash.—Granted petition to dismiss without prejudice application for construction permit (B5-PC-93A amending P5-PC-88).

Karl L. Ashbacker and Grant F. Ashbacker, d/b as Ludington Broadcasting Co., Ludington, Mich.—Granted petition to dismiss without prejudice application for construction permit (B2-P-3406).

Hughes Productions Division of Hughes Tool Co., Los Angeles, Cal.—Granted petition for continuance of hearing now set for December 7 to May 7, 1943, in re applications for new television stations in Los Angeles and San Mateo Co., Cal.

WDAF—The Kansas City Star Co., Kansas City, Mo.—Dismissed without prejudice petition for leave to intervene and enlarge issues in re application of KOBH for construction permit (B4-P-3339).

APPLICATIONS FILED AT FCC

570 Kilocycles

WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Modification of construction permit (B4-P-3288 as modified) which authorized increase in power and installation of directional antenna for night use, for extension of completion date from 12-7-42 to 6-7-43.

960 Kilocycles

WSBT—South Bend Tribune, South Bend, Ind.—Authority to determine operating power by direct measurement of antenna power.

990 Kilocycles

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Modification of construction permit (B2-P-3207 as modified) which authorized installation of new transmitter, directional antenna, move transmitter and studio, change hours of operation and increase power for extension of completion date from 11-30-42 to 90 days after date of grant and change in type of transmitter.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758 as modified) which authorized increase in power, installation of new transmitter and directional antenna for extension of completion date from 11-17-42 to 12-17-42.

1170 Kilocycles

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Extension of special service authorization to operate unlimited time, with power of 25 KW night and 50 KW daytime, using directional antenna for night use and transmitter as authorized by construction permit, for period ending 2-3-43.

1240 Kilocycles

WCOU—Twin City Broadcasting Co., Inc., Lewiston, Maine.—Authority to determine operating power by direct measurement of antenna power.

KFXM—J. C. and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Construction permit to install a new transmitter, directional antenna for day and night use, change frequency from **1240 kc.** to **1300 kc.**, increase power from 250 watts to 1 KW and change hours of operation from sharing time with KPPC to unlimited time. Amended: to request modification of license for change in hours of operation only.

1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—Extension of special service authorization to operate with power of 5 KW, using directional antenna at night for the period ending 10-1-44.

1290 Kilocycles

WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. Car.—License to cover construction permit (B3-P-3259 as modified), which authorized installation of new transmitter, directional antenna for night use, change in frequency, increase power and move of transmitter.

WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. Car.—Authority to determine operating power by direct measurement of antenna power.

1320 Kilocycles

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Authority to determine operating power by direct measurement of antenna power for auxiliary transmitter.

1340 Kilocycles

KVIC—Radio Enterprises, Inc., Victoria, Texas.—Authority to determine operating power by direct measurement of antenna power.

1420 Kilocycles

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Modification of construction permit (B4-P-2288 as modified), which authorized change in frequency, increase in power, move of transmitter and installation of directional antenna and new transmitter for extension of completion date from 11-19-42 to 12-4-42.

1480 Kilocycles

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Modification of construction permit (B3-P-2966 as modified), which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter for extension of completion date from 12-7-42 to 1-7-43.

1590 Kilocycles

WBRY—American Republican, Inc., Waterbury, Conn.—License to cover construction permit (B1-SSA-31), which authorized move of transmitter.

WBRY—American Republican, Inc., Waterbury, Conn.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

W39NY—City of New York, Municipal Broadcasting System, New York, N. Y.—Modification of construction permit (B1-PH-83 as modified), which authorized construction of new high frequency broadcast station for extension of completion date from 11-14-42 to 3-14-43.

W67B—Westinghouse Radio Stations, Inc., Boston, Mass.—License to cover construction permit (B1-PH-62 as modified), which authorized construction of new high frequency broadcast station, in part, in accordance with Commission action of 8-4-42.

W47NY—Muzak Radio Broadcasting Station, Inc., New York, N. Y.—License to cover construction permit (B1-PH-48 as modified), which authorized construction of new high frequency broadcast station, in part, in accordance with Commission action of 8-4-42.

TELEVISION APPLICATIONS

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Modification of construction permit (B2-PCT-4 as modified), which authorized construction of new television broadcast station for extension of completion date from 12-1-42 to 6-1-43.

WMJT—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Modification of construction permit (B4-PCT-8 as modified), which authorized construction of new commercial television station for extension of completion date from 10-27-42 to indefinitely.

MISCELLANEOUS APPLICATIONS

W9XMB—Moody Bible Institute of Chicago, Chicago, Ill.—Modification of construction permit (B4-PST-4 as modified), which authorized construction of new ST broadcast station for extension of completion date from 11-16-42 to 2-16-43.

W2XBD—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-PST-10) which authorized construction of new ST broadcast station.

WLAB—Larus and Brother Co., Inc., Richmond, Va.—License to cover construction permit (B2-PRE-418 as modified), which authorized construction of new relay broadcast station.

WAAD—Ralph A. Horton, area of Ft. Lauderdale, Fla.—License to cover construction permit (B3-PRY-259 as modified), which authorized construction of new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Columbia Research Company—A complaint has been issued charging Julius Florsheim, trading as Columbia Research Co., 417 South Hill St., Los Angeles, with misrepresentation in the sale of envelopes and questionnaires referred to by bill collectors as "lures" and which are designed to obtain information concerning debtors. (4867)

Lee-Sons—Misrepresentation of the therapeutic value of a mineral water designated "Merlek" is alleged in a complaint issued against Michael E. Lee, Myron E. Lee and Kenneth L. Lee, trading as Lee-Sons and as Merlek, Alameda, Calif. (4868)

Liberty Chemical Company—Misrepresentation of a medicinal preparation sold under the names "Liberty Nasal Cream" and "Liberty Nose and Throat Cream" is alleged in a complaint issued against Georgie A. Coleman, trading as Liberty Chemical Co., 1813 18th St., N. W., Washington, D. C. (4869)

National Administrators, et. al.—Dan Trainor, Winona, Minn., trading as National Administrators; John A. Janssen and Lloyd L. Hill, trading as Consumer Distribution Consultants; Chicago Mail Order Co. and W. L. Schnadig and Ralph L. Arnheim as officers of the company; and Spiegel, Inc., and Modie J. Spiegel, Frederick W. Spiegel, Earl D. Weil, Edward L. Swikard, H. J. Meinig, Bernadette Saindon, and Walter A. Gatzert, individually and as officers of Spiegel, Inc., all of Chicago, are charged in a complaint with misrepresentation and unfair and deceptive acts and practices in commerce. (4870)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

General Tire & Rubber Co., Akron, Ohio, engaged in the manufacture and sale of automobile tires, has been ordered to cease and desist from certain misrepresentations concerning its products. (4608)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Benederm, Inc., selling a medicinal preparation designated "Benederm," and Fred W. Fox, advertising agent who has disseminated advertisements for the product, both of 8506 Sunset Blvd., Los Angeles, have stipulated to cease and desist from representing that the product is healing or is a remedy for or effective in the treatment of skin eruptions; or that it renders normally present fatty detritis of the skin soluble or facilitates removal of the contained carbon particles. (03071)

John K. Brater & Co., Inc., 369 Third Ave., New York, selling medicinal preparations designated "Brater's Powder" and "Brater's Asnarettes," has stipulated to cease representing that the preparations are beneficial for the underlying causes of asthma or are a remedy or cure for asthma; that their use will assure one of a quiet night or free one from tortuous breathing, and that the preparations are beneficial in many forms of hay fever. (03074)

The respondent further agrees to discontinue the dissemination of any advertisements which fail to reveal that the frequent or continued use of the preparations should be avoided, especially by elderly persons, and that their use should be discontinued if dryness of the throat, excessively rapid pulse or blurring of the vision appears; provided, however, that such advertisement need only contain the statement "Caution, Use Only as Directed," if the directions for use contain a caution or warning to the same effect.

Culver Aircraft Corporation, Wichita, Kansas, engaged in the manufacture of airplanes designated "Culver Cadet," and Russell J. Alley, Los Angeles, Calif., a distributor, have stipulated to cease and desist from use of the statement "engineered to ten G's" as descriptive of the airplane and from use of that statement or any representation of similar import, the effect of which conveys the belief that the ultimate load which such airplane is or has been designed to sustain is in excess of what is actually the fact, or which imputes to the airplane a degree of safety, when operated, that is not warranted by the designed strength. (3560)

Flexrock Co., 23d and Manning St., Philadelphia, engaged in selling household supplies, including a floor wax bearing the trade name "Flexrock Non-Slip Wax," has stipulated to cease use of the hyphenated word "non-slip" as part of or in connection with the trade name for the product, which is not proof against slipping, and use of such word or words of similar meaning to convey the belief that the product referred to when applied to a floor will prevent slipping. The respondent also agrees to desist from use of the statement "lasts from three to seven times longer than ordinary wax" as descriptive of the product and from the use of any statement implying that the product when applied to floors possesses the indicated lasting qualities when in fact it is not of such durability as to warrant the claim. (3559)

Seaboard Chemical Co., Daytona Beach, Fla., selling and distributing rat and insect poisons, including a product designated "Magic Death Rat and Mouse Exterminator," has stipulated to cease and desist from use of the words "Magic Death," "Death" or "Exterminator" as part of or in connection with the trade name of the preparation and from representing that the preparation is a competent rat or mouse exterminator; that it will kill rats or mice or that its use is effective in ridding the premises of rats or mice; or that the preparation is nationally known or nationally used. The respondent also will cease using the word "Chemical" as part of his trade name or the words "Chemical" or "Chemists" or other words of like meaning to imply that he is a manufacturing chemist or conducts or operates a chemical company or business. (3558)

Sykes Laboratories, 1024 Wolfram St., Chicago, selling and distributing a medicinal preparation designated "Ardine," has stipulated to cease representing that the product is a sure or dependable contraceptive or can be relied upon to prevent conception; or that it becomes "Dakin's Solution" when diluted in four ounces of water. (03072)

Sperry Candy Co., 133 West Pittsburgh Ave., Milwaukee, selling candy, including the Denver Sandwich Candy Bar, and A. E. Meyerhoff and Madelaine G. Meyerhoff, trading as Arthur Meyerhoff & Co., 410 North Michigan Ave., Chicago, advertising agents disseminating advertisements for the product on behalf of the Sperry Candy Co., have stipulated to cease and desist from misrepresentation in advertising premiums given with candy products. They agree to stop representing, through use of the words "Lifetime Guaranteed" or in any other manner, that certain fountain pens will last a lifetime or that the pens will be repaired or the damaged parts thereof replaced without cost; and that certain frames furnished with colorphoto miniatures are made of ivory or gold when in fact they are merely of ivory color or decorated with gold colored paint. (03073)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 47, November 27, 1942

OWI Disclaims Pirating

Murray Brophy, Chief of the Bureau of Communications Facilties and Deputy Director in Charge of International Broadcasting of the Overseas Branch of the Office of War Information, emphatically states that his branch of the OWI will positively not seek to employ men now associated with domestic broadcasting stations.

"The International Branch of the Office of War Information," said Mr. Brophy, "is fully aware of the tremendous importance of domestic broadcasting. Nothing we do in the international field will be allowed to impair in the slightest degree the continued efficient operation of domestic stations. I appeal to any broadcaster who learns of an employee of the International Branch soliciting men from his technical or operating staff to immediately notify me and I will summarily discharge such employee."

This statement is consistent with the utterances of Elmer Davis, OWI Director, who in his appearance before the Senate sub-committee in September, said:

"This Office has a direct and vital concern with the maintenance of the radio coverage in this country. It is one of the most important media for the conveyance of war information in general to the people, and may become of still greater importance when there is occasion for an emergency message from the national leadership. A policy which threatens the continued existence of many of these stations is injurious to the national system of communication, and may seriously hamper the work, for which this Office was established, of informing the people about the status and progress of the war effort and the war policies, activities and aims of this government."

We are sure that broadcasters will applaud the attitude expressed by Mr. Brophy. Should some over-zealous OWI employee become active in seeking technicians or other radio personnel from domestic broadcast stations, the stations are requested to immediately notify NAB Headquarters and proper action will be taken.

District Meetings

DISTRICT 15

Arthur Westlund, KRE, was reelected as district director at the District 15 meeting held November 16-17 in San Francisco.

The meeting unanimously endorsed the NAB's policy in handling the musicians' problem; commended the new OWI allocation plan, and voted to start an intense district membership campaign. In connection with this last action, the meeting voted to admit only NAB members to future sessions unless non-members are invited "for the good of the industry or the war effort."

Numerous government representatives addressed the meeting. Wilt Gunzendorfer, KSRO, presided at the sales meeting the second day.

Those registered:

Jerry Akers, KSAN; Paul R Bartlett, KFRE; Wm. H. Bates, KFRB; A. Leo Bowman, Free & Peters, Inc.; John Brunton, KQW; Ralph Brunton, KQW; S. B. Brunton, KJBS; Ed. Buckalew, CBS; Charles Paul Corbin, KIEM; Keith B. Collins, KMJ; Clyde H. Coombs, KARM; Bernard Coony, KDON; Ken Craig, KQW; Wilfred L. Davis, KYA; Lincoln Dellar, KSFO; Robert E. Dwan, KGO; John W. Elwood, KPO; Gerry Erwin, KTKC; Don J. Fedderson, KYA; Ed. Franklin, KJBS; Adriel Fried, KLX; Wilt Gunzendorfer, KSRO; George Greaves, KPO; Les Hacker, KVEC; Don Hambly, KRE; Hewitt Kees, KOH; Gerald King, Standard Radio; Philip G. Lasky, KROW; John Livingston, Mgr., Assoc. Program Service; D. E. Lundy, KROY; C. P. MacGregor; C. L. McCarthy, KQW; Eleanor McClatchy, KFBK; Don F. Martin, KPO; Mrs. Royal Miller, KROY; Byron Mills, KPO; Wm. D. Pabst, KFRC; J. G. Paltridge, KGO; Ray Rhodes, KGO; Leo O. Rickette, KFBK; Jess Rodman, KFRE; George Ross, KWG; W. B. Ryan, KGO; Bob Schuetz, NBC; Charles P. Scott, KTKC; Bob Seal, KPO; Wm. E. Shea, Jr., KPO; Wm. B. Smullin, KIEM; Lindsey Spight, John Blair & Co.; Robert Stoddard, KFBK; George Taylor, KSAN; Will Thompson, Jr., KROY; Harry H. Wickersham, KJBS; Howard V. Walters, KDON; Art Westlund, KRE.

Lewis H. Avery, Ass't Regional Director, NAB
Dan Bowerman, United Press Assocs.
Ralph Block, Office of Civilian Def.
Eugene Carr, Office of Censorship
Dr. Margaret Chung (guest speaker), Doctor of Medicine and outstanding San Franciscan, interested in civic and state affairs. Particularly interested in aviation, being the "adopted Mother" of several hundred American aviators.
Russ Clancy, Western Division Mgr., Associated Press
Bud Forrester, Associated Press
E. J. Gough, U. S. Treasury Dept.
V. Ford Greaves, FCC Supervisor, Western Area, RID
Wm. J. Hopkins, Representative of War Man Power Commission
Mr. Haverlin, OWI
Dean Jennings, OWI
Lt. Robert L. Jones, USMCR—Public Relations Officer
Sgt. A. W. Johnson, USMCR—Public Relations Section
Eleanor Kearns, OCD
Wm. B. Lewis, OWI
Lt. Cmdr. L. Lovett, USNR Asst. Public Relations Officer
W. K. McCreery, OWI
Neville Miller, NAB President
Clifton B. Naughton, KSFO Prod. Mgr.
Harold E. Swisher, Coast Radio Mgr., U.P.
Major John S. Winch, USMC Pub. Rel. Off.

DISTRICT 17

The complex and manifold problems of broadcasting during wartime were thoroughly discussed and studied by the 69 broadcasters, government and industry representa-

(Continued on page 668)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

DISTRICT 17

(Continued from page 667)

tives who attended the two-day meeting of the Seventeenth District of NAB held in Portland, Oregon, on November 19 and 20. District Director Harry R. Spence of KXRO presided.

To seek relief in one phase of the growing man-power problem, Marshall H. Pengra of KRNR introduced a resolution, petitioning the Federal Communications Commission to relax some of the regulations pertaining to restricted operators. It was adopted unanimously.

The opening day speakers included: Mr. Spence, Neville Miller, president of NAB, who outlined the war work of NAB; Ralph Block, Regional Director, Office of Civilian Defense; Major Carlton Spencer, Selective Service Administration in Oregon; Eugene Carr, Office of Censorship; Ensign Philip N. Bladine, Public Relations Officer, Navy Department, Portland, Oregon; Sgts. R. N. Vernstrom and Wm. J. Vessey, Marine Corps, Portland and Seattle, respectively.

Toward the close of the first-day meeting, Mr. Miller reviewed the AFM-Petrillo problem and explained the policy toward the problem adopted by the Board of Directors. Following this discussion the broadcasters present unanimously endorsed the NAB stand.

At luncheon on the opening day, Palmer Hoyt, Publisher of The Oregonian, spoke briefly. He was followed by Lewis H. Avery who discussed "Good Taste in Radio Advertising."

Following luncheon, Mr. Spence was unanimously reelected for a two-year term as Director for the Seventeenth District.

The morning meeting on the second day was confined to sales problems with Arthur Gerbel, Jr., of KOMO-KJR, acting as chairman, while the discussion was led by Mr. Avery. Midway of the morning meeting, the Retail Promotion Committee Plan was presented in detail and enthusiastically received. Several stations pledged their financial support to the plan.

At the luncheon meeting on the second day, Carl Haverlin, Headquarters Consultant, and Wm. B. Lewis, Chief, Radio Bureau, Office of War Information, presented the proposed OWI plan that is designed to become operative on January 1, 1943. The broadcasters unanimously endorsed the proposed plan by formal resolution. Other guests at the luncheon included: the Hon. Harris Ellsworth of KRNR, Congressman-elect; the Hon. Earl Riley, Mayor of Portland; and Major Joseph K. Carson, former Mayor of Portland.

Those registered:

Harry R. Spence, KXRO; Fred G. Goddard, KXRO; Chet Wheeler, KWIL; Ralph R. Cronise, KWIL; James C. Wallace, KAST; Frank H. Loggan, KBND; Joe Chytil, KELA; C. C. Chatterton, KWLK; Sheldon F. Sackett, KOOS-KVAN; Loe Bishop, KMED; Tom Olsen, KGY; Mrs. Tom Olsen, KGY; Hank Swartwood, KALE; Harry H. Buckendahl, KALE; Ted Kooreman, KALE; Mary Elizabeth Gilmore, KBPS; Arden X. Pangborn, KEX; H. Quenton Cox, KEX; Homer J. Welch, KEX; Norman J. Sugg, KEX; Harold C. Singleton, KEX; C. W. Myers, KOIN-KALE; Art Kirkham, KOIN-KALE; Ted W. Cooke, KOIN-KALE; Chester R. Duncan, KOIN; W. J. Jorman, KWJJ; Art M. Morey, KWJJ; Marshall H. Pengra, KRNR; Robert S. Nichols, KEVR; Arthur Gerbel, Jr., KOMO-KJR; Charles A. Bailie, KOMO-KJR; John Pearson, KOMO-KJR; O. A. Runchey, KOL; Robert E. Priebe, KRSC; Miss Florence Wallace, KXA; Harvey Wixson, KHQ-KCA; A. O. Moore, KMO; Barney Kenworthy, KODL-KWRC; S. W. McCready, KVAN; Donald A. Wike, KUJ; J. A. Murphy, KMO-KIT; Jennings Pierce, NBC (Station Relations); Gerald King, Standard Radio; Carl Haverlin, BMI (Vice-President) and OWI (Headquarters Consultant Radio Bureau); E. J. Gough, SESAC and U. S. Treasury Dept.; J. F. Gale, United Press; S/Sgt. R. N. Vernstrom, U. S. Marine Corps (Public Relations); Ens. Philip N. Bladine, U. S. Navy (Public Relations Officer); John Livingston, Associated Recorded Program Service; Trevor Evans, Washington State Defense Council (Radio Director); Sgt. Wm. J. Vessey, U. S. Marine Corps (Public Relations); Ralph Block, Office Civilian Defense—Ninth Region; Neville Miller, NAB; Lewis H. Avery, NAB; Eugene Carr, Office of Censorship; George Ludlam, Office Civilian Defense (Asst. Chief of Radio); Maj. Carlton Spencer, Selective Service; Hal Byer, KWIL; Chas. E. Couche, KOIN; Frank L. Hill, KORE; J. F. Hiddleston, KIRO; Lawrence L. King, KUIN; Sidney Leeman, KVAN; Ralph E. Smith, KUIN; Warren E. Stoffer, KWIL; Ben E. Stone, KOOS-KVAN-KLBM; L. W. Trommlitz, KORE; Florence Clements, OWI; Beatty Stevens, KOMO-KJR.

DISTRICT 11

"Radio is in the front line of our lives, it is the center of the home," declared Mr. Luther Weaver, business counsel and instructor in the extension service of the University of Minnesota, in a talk entitled, "How to Listen to the Radio," at the luncheon on the second day of the Eleventh District meeting of the NAB in Minneapolis. He continued by pointing out that the average listener would appreciate radio more if he had to pay for the entertainment and information it provides.

"I have heard radio criticized for its bad English yet radio has brought good English into millions of homes that never heard it before," said Mr. Weaver. "I have also heard radio criticized for the type of music it broadcasts yet radio has brought good music into homes that never heard of a symphony."

"There is so little intelligent criticism of radio," he added, "because it requires a high degree of intelligence to criticize radio adequately. If you want to listen to the radio and criticize it, then ask yourself these questions: Does the program entertain or inform entertainingly? Does the program have singleness of purpose? Does the program have beauty (or showmanship)? What can you applaud heartily? What can you condemn? What would you do if you were writing the show?"

The inspiring talk was delivered before a joint luncheon of the Radio Council for Minnesota and the broadcasters, government and industry representatives attending the meeting. More than 100 women, representing various civic and social groups, attended as members of the council. Reprints of Mr. Weaver's searching talk will soon be available to NAB members.

Following the luncheon meeting, Ed. L. Hayek, of KATE, was elected district director for the two-year term starting with the next NAB convention. Mr. Hayek has been filling the unexpired portion of the term to which Earl Gammons, of WCCO, was previously elected.

Resolutions were unanimously adopted endorsing the OWI plan. The action of the NAB in the AFM Petrillo situation and the Retail Promotion Plan. The Broadcasters also unanimously adopted a resolution endorsing the opposition of the board of directors to the use of government money for broadcast advertising.

At the opening luncheon of the two-day meeting, on November 23, Dr. Harold C. Deutsch, famed WCCO news commentator and Associate Professor of History at the University of Minnesota, analyzed the current economic and military situation of the Allied Nations and the Axis. Considered an international authority on World War I, Dr. Deutsch outlined the position of the various nations engaged in the global war at the end of 1941, traced the economic and military developments during the past 11 months and forecast some probable developments in 1943. His informal talk was accorded rapt attention by the 48 broadcasters, government and industry representatives in attendance.

The meeting was called to order at 10:00 a. m. on Monday by District Director Ed. L. Hayek, of KATE, who briefly outlined the purposes, speakers and subjects of the two-day meeting. He was immediately followed by Neville Miller, President of NAB, who reviewed the war work of NAB and the close liaison of officials of the NAB with the various government agencies and departments charged with the conduct of the war.

Among the government representatives who discussed various phases of the war effort were: Carl Haverlin, Headquarters Consultant, Radio Bureau, Office of War Information; Major Howard O. Peterson, Chief, Radio Section. Public Relations Branch, Seventh Service Command; Major Charles J. West, First Security District, Seventh Service Command; Eugene Carr, Office of Censorship; Colonel Joseph E. Nelson, Director of Selective Service for Minnesota; Lief Gilstadt, Treasury Department and Harvey W. Wertz, Regional Director, Office of Civilian Defense.

Before lunch on the opening day, Director Hayek read a letter of appreciation from Sam C. Gale, Advertising Director of General Mills, Inc., thanking the broadcasters of this district for their splendid co-operation in the Naval Aviation Cadet program. The purpose of the program was briefly outlined by John H. Sarles of Knox Reeves Advertising, Inc., and further amplified by Lts. R. G. Robertson and Wallace Mitchell, Naval Aviation Cadet, Selection Board.

Toward the close of the first day, Carl Haverlin spoke for BMI and President Miller outlined the AFM-Petrillo problem. Following this discussion, the broadcasters unanimously endorsed the NAB stand on Petrillo by formal resolution. The meeting also unaniomously endorsed the proposed OWI plan, designed to become effective January 1, 1943.

President Miller spoke informally at a banquet on the first night, outlining some of the changing conditions of broadcasting and emphasizing the obligation and opportunity that exists for broadcasters in the all-out war effort.

Lewis H. Avery, NAB; C. Alden Baker, WCCO; Milton Blink, Standard Radio; Eugene Carr, Office of Censorship; Frank E. Chizzini, NBC Thesaurus; Donn Clayton, NCBS; Tom Curran, United Press; Howard Dahl, WKBH; Bob DeHaven, WTCN; A. A. Fahy, KABR; F. E. Fitzsimonds, KFYR; Edwin G. Foreman, Jr., The Foreman Co.; Oliver Gramling, Press Association; Carl Haverlin, BMI-OWI; Mayor Ed. L. Hayek, KATE; H. S. Hyett, WMFG; C. T. Hagman, WTCN; Morton Henkin, KSOO-KELO; Edward Hoffman, WMIN; Phil Hoffman, WNAX; Maxine Jacobs, KROC; A. E. Joscelyn, WCCO; Sam Kaufmann, WCCO; Robert S. Keller, AMP; "Cy" Langlois, LANG-WORTH; T. H. Lathrop, KATE; Barney Lavin, WDAY; Dalton LeMasurier, KILO-KDAL; H. W. Linder, KWLM; George Ludlam, OCD; W. H. McCall, United Press; Manny Marget, KVOX; John F. Meagher, KYSM; Lynn L. Meyer, WLOL; Lucile Miller, KFAM; Neville Miller, NAB, President; Georgene O'Donnell, Office of Civilian Defense; E. W. Peterson, ASCAP; Inez Ranleau, WHLB; Fred Schilplin, KFAM; Al Sheehan, WCCO; Arthur J. Smith, WNAX; Wallace E. Stone, Press Association; Harvey J. Struthers, WCCO; Warner Tidemann, KATE; F. Van Konynenburg, WTCN; H. E. Westmoreland, WLOL; Lee L. Whiting, WDGY; M. H. White, KWNO; Jerry Wing, KROC; Harry Woodworth, WCCO; Dr. George W. Young, WDGY.

SALARY STABILIZATION

Here is the best explanation issued to date on what to do if you want to (or argue to) make a *general* salary increase in any classification of employees who make $5,000 or less a year. This statement came from the WLB Regional Director for Philadelphia, but it is applicable for all other regions.

It should be remembered that the WLB has authorized employers to make *individual* increases without permission under certain circumstances (NAB Reports, p. 619).

It also should be remembered that the Treasury, not the WLB, has jurisdiction over salaries of more than $5,000 and over salaries of executives, administrative and professional employees making less than $5,000 and not represented by unions.

The Philadelphia director's statement:

The War Labor Board has appointed a twelve-man labor-industry-public regional advisory board to assist in administration of the wage stabilization program in the area covering Maryland, Pennsylvania, Delaware and Virginia.

The Philadelphia regional office will deal only with requests for permission to increase wages or salaries of $5,000 or less a year. Other higher salaries are dealt with through the Collector of Internal Revenue, as are salaries below $5,000 where the employes are not represented by any union and are professional, executive or administrative workers.

Only those requests which are voluntary, on the part of employers, or arise from agreement between employers and employees will be considered in the field offices of the War Labor Board.

Final Review by WLB

All cases will be subject to final review by the War Labor Board in Washington.

Actually, the system will work in this manner: Assume you are an employer who has negotiated a wage increase with a union, or who otherwise wishes to pay higher wages. You think you should be allowed to increase your pay scale.

The first thing to do is to go to the nearest office of the wage and hour division, United States Department of Labor. There you can learn if your problem is one which must be reviewed by the War Labor Board.

If the division decides you're not obligated to obtain permission, it can give you approval to go ahead and raise your men's wages.

Subsequently, however, the regional director, reviewing the decision, may hold that the division should have held the case for review.

Then you may be allowed to continue paying the increase (if you already have granted it, relying on the division's judgment) until you have a chance to apply for permission and until formal review has been made.

Have Right to Appeal

The division may, on the other hand, have ruled that your adjustment cannot properly be made without permission of the board. In that case, if you think the division wrong, you may appeal to the regional director's office and his is the final decision in the matter.

In either event—whether the division decides that review is unnecessary and the board overrules it, or whether the division decides that review is necessary and the board upholds it, the application for formal review is the same you would have made had the division earlier held you did need permission to increase your wages and you had proceeded in the normal way.

The wage-and-hour division office you are dealing with will hand you a long document (8½ by 24½ inches) with fourteen chief questions (some of them are subdivided).

The white original copy is the control copy of the WLB; the second sheet, pink, is later returned to you; the third, green, may be passed along to the Office of Price Administration if it is involved in the case; the fourth, salmon, is kept in the regional director's office; the fifth, yellow, is kept by you.

Information Needed

Among the information you will need to supply:

1. Your name, address, number of workers affected, proposed effective date of the pay raise, and your reasons for making it.
2. Whether the application is sought by agreement between you and a labor organization representing the employes in your plant, or on the basis of an arbitrator's or referee's award, or whether you wish to make the increase spontaneously or for some other reason.
3. The nature of your business, the number of employes, the number of hours they work in a couple of picked pay-roll periods, their straight-time hourly earnings.
4. Information on all fluctuations in wages and salaries since January 1, 1941.

And you must state whether, once you are granted permission to make your upward adjustment in pay rates, you intend to use that as an excuse for asking the OPA to allow you to raise the prices of the goods you manufacture or sell.

By this time, there should be enough information on hand to justify fair consideration of your application in the light of national wage stabilization policies laid down by the WLB on November 6 as part of the effort to stabilize our whole wartime economy.

If Union Should Object

The wage and hour division will now look to see if the union with which you have dealings has indorsed the application.

It it has not, the division will determine whether the union objects. If the union objects, the whole case is referred to the conciliation service of the Department of Labor as a dispute case; if the union agrees to the raise, the division is ready to forward the application to the regional director.

A ruling by his office on whether or not he has jurisdiction will be the first step in the regional office. He will notify you if the matter isn't one for his review.

However, if he concludes that the application does require board approval, then he may ask you or the wage and hour division for more information—or he may proceed on the application as it is.

Director's Ruling Final

No matter what he does, you will have a right to appeal. On the whole, of course, you may expect the decision he now is preparing to make to stick.

If the regional director approves your application his ruling is final—subject to later review by the National Board.

If he refers the application to a labor-industry-public panel for action, the panel's decision is final, again subject to review by the national board.

If he disapproves the application, or approves a smaller increase than you asked, you have ten days in which to file an appeal petition with the regional office and he must then refer the case to a tripartite panel.

The panel's approving ruling then, too, is subject to final review in Washington.

If the panel disapproves your application, whether it is referred to it by the regional director or received on an appeal from the director's negative decision, then the board may still check the decision on its own initiative or any member of the panel may ask the board to check it in the national interest.

Meanwhile, however, suppose you have admitted you want to increase the price of your wares after you make this pay raise. The green copy of your application is scrutinized by the OPA. You probably will have received from the wage and hour division further forms to be filled out explaining to OPA your reasons.

An OPA objection to a WLB approval of the increase would throw the whole matter into the lap of the Economic Stabilization Director for final review and decision.

There are innumerable variations to this theme, but this simplification of the procedure is a representative illustration of the manner in which you must proceed if you want official sanction for raising the wages and $5,000-or-less salaries of your employes.

And if you don't bother to get that approval, you'll wake up next March to find that the entire amount of the wage or salary hiked without WLB approval can't be deducted in figuring your taxable income.

FCC QUESTIONNAIRE

All but about 100 stations have responded to the FCC's questionnaire on employment and payrolls. The Commission is anxious to compile the information from the questionnaire at the earliest possible date. This information will be invaluable to stations in wage and salary negotiations and in any proceedings before the War Labor Board. The NAB cannot urge too strongly that those stations which have not yet sent in a return do so immediately.

MANPOWER SURVEY

The NAB Manpower Survey was sent to 919 stations licensed by the FCC September 15, 1942. Analysis of the survey is based on the replies received from 615 stations by October 20th. In all, 667 replies have been received.

Comparison of the stations used in the tabulation with total stations licensed is as follows:

	Licensed	In Tabulation	Percent Return
TOTAL STATIONS	919	615	67.0
Commercial	873	589	67.5
Non-Commercial ...	34	20	59.0
Construction Permits	12	6	50.0
NAB Members	484	349	72.2
Non-Members	435	266	61.2

The sample is slightly low on clear channel stations. The approximate percentage returns are as follows:

Clear Channel	60%
Regional Channel	70
Local	70
Total	69.5

These percentage returns indicate that the sample is skewed toward small stations, and therefore the average figures presented in the survey analysis are admittedly low.

The number of persons employed by the responding radio stations on October 19, 1940, and September 15, 1942, are presented in the following table:

	October 19, 1940			September 15, 1942		
	Total	Men	Women	Total	Men	Women
TOTAL RETURNS...........	615			615		
Information Incomplete.........	12			7		
Station Not Operating..........	89			—		
RETURNS USED............	514			608		
Executive.....................	796	749	47	898	832	66
Technical:						
First Class Operators.........	2,435	2,435	—	2,329	2,326	3
Second Class Operators.......	47	47	—	168	159	9
Restricted Operators.........	18	17	1	242	219	23
Unlicensed Operators.........	281	274	7	435	385	50
Program.....................	3,994	3,295	699	4,389	3,391	998
Commercial..................	1.560	1,358	202	1,481	1,206	275
General & Administrative.......	1.555	527	1,028	1.788	549	1,239
Miscellaneous.................	873	603	270	1,091	743	348
TOTAL ALL CLASSIFICATIONS.........	11.559	9,305	2.254	12.821	9,810	3,011

It is not possible from the above table to directly compare the figures of employment because of the differing number of stations involved. In order to see what happened during the two-year period from the individual station standpoint, it is necessary to deal in averages. On October 19, 1940, the average station employed 22.5 persons. On September 15, 1942, the figure dropped to 21.1 persons.

Percentage of change based on station averages between October 19, 1940, and September 15, 1942, by job classification is as follows:

	Total	Men	Women
Executive	−4.61%	−6.2%	+19.8%
Technical:			
First Class License	−19.1	−19.2	+Infinity
Second Class License	+203.3	+187.9	+Infinity
Restricted License	+1,037.1	+990.9	+1800.0
Unlicensed	+30.7	+18.8	+ 485.7
TOTAL	−3.5	−5.8	+ 768.8
Program	−7.1	−13.0	+ 20.7
Commercial	−19.7	−24.9	+ 15.0
General & Administrative	−2.8	−11.9	+ 1.9
Miscellaneous	+5.7	+4.2	+ 9.0
TOTAL ALL CLASSIFICATIONS	−6.2%	−10.9%	+ 12.9%

The table shows that the average station is operating with less employees now than it did two years ago. Also, stations have begun to employ women to replace men. The figures also show radical changes in technical ranks. The reduction in first class license holders has been offset by the hiring of holders of second class and restricted licenses, and of unlicensed technicians.

The question immediately arises—What brings about the indicated change in employment? The analysis shows that 26.2% of the number of persons employed at October 19, 1940, were lost to the armed services during the two-year period. To the average station, this means that of the 22.5 persons employed in 1940, 4.7 persons left for the Army, Navy, Marines or Coast Guard. Those drafted represent 1.7 persons while 3 persons enlisted. In addition to these, 10.9 persons left the station to go elsewhere; to government, to other civilian employment, or *to other stations.* The total loss, then, of 15.6 persons represents 69.5% personnel loss in the two-year period.

The percentage of men lost to the Armed Services and total losses by job classification are as follows:

	Percent Men Lost To Armed Services	Percent All Employees Lost
Executive	10.1%	25.3%
Technical:		
First Class License	30.3	80.2
Second Class License	44.0	152.7
Restricted License	78.8	240.0
Unlicensed Operators	32.6	87.0
Program	29.4	73.7
Commercial	17.5	59.2
General & Administrative	22.9	55.4
Miscellaneous	22.7	82.3
TOTAL	26.2%	69.5%

In the matter of men lost, the tabulations show that local channel stations have been harder hit percentage-wise than regional stations, and clear channel stations have suffered least. The clear channel figures obtained are not representative because eight regional and two local channel stations were reported jointly with ten clear channel stations and could not be separated. Within this limitation, losses of personnel to the armed services constituted 22.1% of total clear channel station employment; 24% of regional channel station employment; and 33.9% of local channel station employment. All losses during the two-year period were 56.2% for clear, 69.9% for regional, and 96.8% of local channel station employees. In the case of local channel stations, there is indication of better than a complete turnover in first class technicians, a double turnover in second class technicians and a complete turnover in program employees. Individual returns showing losses during the two-year period three times as great as the number employed in October, 1940, were not uncommon.

Draft age men (18 to 45 years) represented 68.7% of the total number of persons employed September 15, 1942. The following table shows the percentage of men to total employment in each job classification:

	% Men 20–45 Yrs. To All Employees	% Men 18–19 Yrs. To All Employees	% Men 18–45 Yrs. To All Employees
Executive	71.5%	1.1%	72.6%
Technical:			
First Class License	95.6	3.7	99.3
Second Class License	63.8	18.5	82.3
Restricted	59.5	23.1	52.6
Unlicensed	73.4	14.3	87.7
Program	66.8	4.9	71.7
Commercial	68.9	.9	69.8
General & Administrative	22.4	2.1	24.5
Miscellaneous	42.6	3.2	45.8
TOTAL	64.4%	4.3%	68.7%

Men considered as essential to the operation of stations constituted 19.4% of all employees. The average station with 21.1 employees having 14.4 within draft age considers 4.1 persons to be essential for continued operation of the station. The percentage of persons employed within each job classification designated as essential to the station's operation is as follows:

	Percent all Employees
Executive	31.1
Technical:	
First Class License	56.4
Second Class License	15.6
Restricted	16.8
Unlicensed	13.3
Program	12.3
Commercial	12.4
General and Administrative	2.9
Miscellaneous	0.1
Total	19.4

Of the men classified as essential to the station's operation, 78% were in Selective Service Classification 3A; 7.3% in 1A or 1B; 5.1% in 4F. Of those having 3A classification, 67% have dependent children and will, under present plans, be the last called for service.

The above information supplements the NAB Manpower Survey article which appeared in the NAB REPORTS, Page 653, November 20, 1942.

SURPLUS EQUIPMENT QUESTIONNAIRE

The FCC has announced a plan to compile an inventory of all surplus communications equipment, including broadcast. Details will be found in the current issue of the *Swap Bulletin.*

The *Swap Bulletin* is now mailed separately to all stations and is addressed to the Chief Engineer. It is believed the separate mailing, directly to engineers, will expedite the exchange of surplus material for broadcast stations.

KLX ARRANGES REPAIR PHOTO

Press department of KLX, Oakland, Cal., arranged for a newspaper photo of a well known personage bringing his radio set in for repairs, according to Adriel Fried, general manager. A service spot is broadcast daily.

The following table shows the percentage of men 20 to 45 falling within each selective service classification at September 15, 1942.

	Selective Service Classifications								
	1A 1B	2A 2B	Awaiting Call	Reserve	3A	3B	No Class.	4	Total Men 20–45
Executive	2.2%	2.4%	.2%	.2%	73.0%	3.3%	16.0%	2.7%	100%
Technical:									
First Class License	8.2	5.2	.3	.5	71.0	1.9	4.3	8.6	100
Second Class License	15.9	1.1		2.9	55.1	1.1	6.3	17.6	100
Restricted	17.3	5.5			43.9	.8	14.3	18.2	100
Unlicensed	13.1	1.9	1.9	1.5	59.8	1.0	9.7	11.1	100
Program	11.2	1.0	1.0	.7	65.1	1.1	7.2	12.7	100
Commercial	5.8	.5	.4	.2	77.6	.7	9.2	5.6	100
General & Administrative	9.7	2.4	1.5	.5	59.9	1.8	18.9	5.3	100
Miscellaneous	8.4	.4	.3		61.3	1.0	18.7	9.9	100
TOTAL	9.0%	2.3%	.7%	.6%	67.6%	1.5%	8.8%	9.5%	100%

CONTINUE SPOT A DAY

NOTE TO MANAGERS:

It will be appreciated if you will continue the broadcast of one radio serviceman's announcement per day until further notice.

In answer to your many inquiries the Radio Manufacturers Association has not yet located a man to handle the promotion campaign, among the trade, to insure sufficient service personnel to maintain sets throughout the emergency.

When RMA is ready, NAB will cooperate in necessary recruiting and in getting proper information to the public.

Philco Corp. and RCA officials, recently contacted, expressed the opinion that ultimate solution lay in substituting servicewomen for servicemen, but in a streamlined, factory type of operation.

Such a move would also be regarded with favor by the government because it would release the maximum number of servicemen to the armed services.

OWI RADIO MEETING

William B. Lewis, Assistant Director of the Office of War Information in charge of the Radio Bureau, announces that all radio consultants appointed to assist in functioning the regional and local broadcasting plan of OWI, have been called to a meeting in Washington on December 28-29-30. The consultants will at that time meet with the Regional Directors and the officials of the headquarters office of OWI to perfect plans for the coordination of government programs originating regionally and locally. Some 35 are expected to attend.

FREE TIME OFFER

The Progressive Circulation Company, Palmer Building, Hollywood, Cal., is sending out releases to radio stations to advertise, free of charge, two magazines, "Progress Digest" and "Our Army."

NAB PUBLICATIONS AT N. Y. MEETING

NAB publications will be used and distributed at the audio-education section meeting of the 1942 convention of the New York State Association of Elementary Principles, Hotel Syracuse, Syracuse, N. Y., late in December.

Max U. Bildersee, radio supervisor, The University of the State of New York, The State Education Department, Albany, will direct a round table during the convention.

GEN. DENIG THANKS INDUSTRY

An official note of appreciation from the Marine Corps for the assistance that broadcast stations and NAB provided, "in making our 167th Anniversary so memorable a national observance," was received Wednesday, November 25, from Brigadier General Robert L. Denig, U. S. Marine Corps, Director, Division of Public Relations.

Said General Denig, in part:

"The most potent and stimulating incentive any military force can be furnished is the knowledge that its people and country are aware and appreciative of its services. The attention given the Corps during the past several weeks will be firmly impressed on each and every Marine, whether he be in Tulagi, Trinidad, or Toledo.

"Please accept this message of earnest thanks for yourself and your association."

MRS. LEWIS COMPLETES TRIP

Mrs. Dorothy Lewis, Coordinator of Listener Activities for the NAB, has just completed a swing through 22 states, visiting 49 cities. The trip brought her into contact with about 10,000 leaders in national and state organizations, educators and students, and unorganized listeners.

The itinerary for Mrs. Lewis' next trip will be announced soon.

Under the aegis of the NAB, Mrs. Lewis held 24 conferences on "Children in Wartime." These were attended by state and local leaders of civic welfare organizations; educators and broadcasters. Radio executives displayed a fine leadership in taking the initiative in helping to solve this important wartime problem.

The subject "Radio serves the war and post-war era" was discussed at 17 conferences, based on a new plan whereby each person present takes part. In many cases it proved to be the first time the subject had been brought to the attention of listeners. Before each meeting, Mrs. Lewis gave a summary of American radio's wartime participation, covering—the propaganda front, here and abroad; the great service rendered in drives for bond and stamp sales, salvage, manpower, etc.; dramatic story of radio's service to and from the service men; the enormous personal and financial contribution of the broadcasters to the war effort; the purposes of OWI; radio's serious problems in shortages incident to the draft and priorities of materials and, finally, a forecast of the place American radio, the purest expression of our democratic form, will take in making the peace and setting up a global society in which radio must play a significant part. She found the listeners to be articulate regarding their admiration for the manner in which radio is serving the war effort.

Unanimous public opinion continues to support the broadcasters in the Petrillo issue. Numerous resolutions were passed by Radio Councils and club groups protesting his recording ban as an un-American action. The public stands ready to cooperate in any remedial plans taken by NAB toward the ultimate solution and this vexacious problem. The listeners urge immediate and constructive action.

A good many new listeners councils are in process of establishment. These will be at Toledo, Mankato, Fargo, Omaha, Des Moines, Kansas City, Wichita, Inter-Mountain Area, Missoula, Spokane, Sacramento, San Francisco, Oakland, and the suburban area of Los Angeles. Radio Councils are active in the issuance of accredited lists; making local studies, and surveys; setting up war coordinating committees to relieve pressure on local broadcasters; listening post committees on war news; Peabody Award Committees; Promotion and Publicity Committees to handle the job of reaching all participating organizations with programs about their American system of radio; and to increase newspaper cooperation and better listings; Radio Education Committees to expedite the equipment of schools, to establish radio divisions in state and local Departments of Education and to interest teachers in using radio as a teaching aid; Children's Program Committee to help to promote current local children's programs and to assist in the creation of new ones through cooperation of schools, libraries, and local little theater groups, and the expansion of the Council's open meetings to reach larger segments of the population.

Meetings were held in a number of colleges under the title "The Laymen's Place in American Radio." Mrs. Lewis spoke to 2200 freshmen at the University of Utah in a unique program of entertainment and education arranged by Earl J. Glade of KSL, chairman of the NAB Code Committee. Ed Barrett of Drake University arranged a fine conference at Des Moines with state leaders in radio on the panel. John J. Gillen, Jr., NAB 10th District Director, set up a round table discussion by students at Creighton University. Two fine conferences were held at Peabody College at Nashville, Tenn. About 50 University of Iowa students gathered for a Sunday afternoon session at WSUI. These are a few highlights in this field of activity. NAB participated in the School Broadcast Conference in Chicago with an afternoon meeting under the title "The Library Serves The Children's Programs Field." Educational Directors and librarians served on a fine panel. Recordings submitted by stations from all parts of the country, were played. The American Library Association rendered invaluable assistance and will aid the broadcasters in this important area of programs for juveniles.

Mrs. Lewis was privileged to attend two radio conferences in Canada at Winnipeg and Vancouver; the first of their kind in these provinces. Interest was high in the Radio Council plan and the contribution which they are making to the education and cultivation of the listeners. Children's entertainment and educational programs were high-lighted.

Many broadcasts were made and excellent newspaper publicity given throughout the tour. Stations and organizations continue to give excellent support for which both NAB and Mrs. Lewis express appreciation.

PEABODY AWARDS

The deadline for submitting entries for a George Foster Peabody Award for 1942 is December 15. Entry blanks are available at the NAB.

SELECTIVE SERVICE HANDBOOK

Copies of the NAB Selective Service Handbook and Supplements, and letters from Government agencies attesting the importance of radio broadcasting in support of the war effort have been sent to all State Directors of Selective Service.

FEDERAL COMMUNICATIONS COMMISSION

NETWORK LINE CHARGES

It will be suggested that the FCC should look into the line charges on network operations in its A.T.& T. investigation, James Lawrence Fly, Chairman, told newsmen at his press conference Monday. He said that the Commission should do everything that it reasonably could in terms of public interest, particularly in extending network broadcast service.

"That becomes particularly important," he said, "in the sparsely settled areas and the far-reaches of the country where little or no network service is available, and if any reduction which is made can be applied in part to meet that need I think it might be a very fortunate result."

When asked if the BWC has been giving any serious consideration to the problem of maintaining receivers, Mr. Fly said, "I don't think we have had a recent study of that problem although we did have a study within the past year, and at that time we found that we had enough receivers to meet the expected demand for a substantial time, and I think we had a comparable amount of replacement equipment. It is conceivable that some time in the very remote future we may come to the point where there is not enough material to repair the radios. However, there are enough radios to go around if properly distributed."

Mr. Fly was questioned as to whether or not FCC will permit some of the small stations to suspend operation. He said, "That is a problem which has been posed and about which nothing definite has been done. I think we would want to consider other possibilities first. That is not a very wholesome result, and in many cases the very stations that would close down are the essential stations to give information to the people who would not otherwise get it."

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 30. They are subject to change.

Monday, November 30

KWG—McClatchy Broadcasting Company, Stockton, Calif.—C. P., **1230 kc.**; 250 watts; unlimited.

Further Hearing

NEW—Wilkes-Barre Broadcasting Corporation, Wilkes-Barre, Pa.—C. P., **1240 kc.**; 250 watts; unlimited; Req. fac. WBAX.

NEW—Central Broadcasting Company, Wilkes-Barre, Pa.—C. P., **1240 kc.;** 250 watts; unlimited; Req. fac. WBAX.

NEW—Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pa.—C. P., **1240 kc.;** 250 watts; unlimited; Req. fac. WBAX.

NEW—Key Broadcasters, Inc., Wilkes-Barre, Pa.—C. P., **1240 kc.;** 250 watts; unlimited; Req. fac. WBAX.

Tuesday, December 1

KROY—Royal Miller, Sacramento, Calif.—C. P., **1240 kc.;** 250 watts; unlimited.

Wednesday, December 2

Further Hearing

WTNJ—WOAX, Incorporated, Trenton, N. J.—Renewal of license, **1310 kc.;** 500 watts; SH-WCAM & WCAP.

WTNJ—WOAX, Incorporated, Trenton, N. J.—Modification of license, **1310 kc.;** 500 watts; unlimited; Req. fac. WCAM & WCAP.

WCAM—City of Camden, Camden, N. J.—Renewal of license, **1310 kc.;** 500 watts; SH-WTNJ & WCAP.

WCAM—City of Camden, Camden, N. J.—Modification of license, **1310 kc.;** 500 watts; SH-WCAP; Req. fac. WTNJ.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Renewal of license, **1310 kc.;** 500 watts; SH-WTNJ & WCAM.

WCAP—Radio Industries Broadcast Co., Asbury, Park, N. J.—Modification of license, **1310 kc.;** 500 watts; SH-WCAM; Req. fac. WTNJ.

Friday, December 4

Further Consolidated Hearing

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—C. P., **1220 kc.;** 5 KW; unlimited; DA-day and night.

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—C. P., **1480 kc.;** 1 KW; unlimited; DA-night.

WADC—Allen T. Simmons, Tallmadge, Ohio.—C. P., **1220 kc.;** 50 KW; unlimited; DA-day and night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Granted modification of construction permit for approval of directional antenna as now adjusted and for extension of completion date; granted subject to the condition that the change in antenna will protect other station assignments on the frequency **1110 kc.** in accordance with the North American Regional Broadcast Agreement. (B5-MP-1636)

WAPI—Voice of Alabama, Inc., Birmingham, Ala.—Granted modification of construction permit (B3-MP-1665) for approval of directional antenna.

KBTM—Jay P. Beard, tr/as Regional Broadcasting Co., Jonesboro, Ark.—Granted modification of license (B3-ML-1144) to increase nighttime power from 100 watts to 250 watts.

WRUL—World Wide Broadcasting Corp., Boston, Mass.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of license, in no event later than January 1, 1943. (B1-SIB-12)

DESIGNATED FOR HEARING

KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—Designated for hearing application for modification of license (B5-ML-1127) to move the main studio from San Francisco to Palo Alto, Calif.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Designated for hearing modification of construction permit (B5-MP-1602) for approval of transmitter site and directional antenna.

KEX—Fisher's Blend Station, Inc., Seattle, Wash.—Designated for hearing application for construction permit to install new transmitter, install directional antenna for day and night use, increase power from 5 KW to 50 KW and move transmitter locally. (B5-P-2629)

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.; WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.; WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.; WJAG—The Norfolk Daily News, Norfolk, Nebr.—Designated for further hearing applications of (1) KFAB for construction permit to install a new transmitter and directional antenna for nighttime use, change the transmitter and studio location from Lincoln to Omaha, and change operating assignment from **780 kc.** with 10 KW power simultaneously during the daytime and sharing time at night with WBBM (operates under a Special Service Authorization simultaneously day and synchronously at night with WBBM); (2) WBT for construction permit to install a directional antenna for nighttime use and change transmitter location; (3) WBBM for modification of license to change hours of operation on **780 kc.** with 50 KW from simultaneously daytime and sharing time at night with KFAB, to unlimited time; and (4) WJAG for construction permit to install new antenna and change operating assignment from **1090 kc.**, 1 KW, limited to local sunset at WBAL and KTHS, to **780 kc.**, 1 KW, daytime only. (Dockets Nos. 5270, 5269, 5271 and 5864 respectively)

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending December 1, 1944:

KTUL, Tulsa, Okla.; WALA, Mobile, Ala.; WCBA, Allentown, Pa.; KQV, Pittsburgh, Pa.

Licenses for the following stations were extended upon a temporary basis only pending determination upon application for renewal, for the period ending January 1, 1943:

KARM, Fresno, Calif.; KCRC, Enid, Okla.; KDTH, Dubuque, Iowa; KEVE, Everett, Wash.; KFMB, San Diego, Calif.; KGCX, North of Sydney, Mont.; KGIR, Butte, Mont.; KINY, Juneau, Alaska; KLO, Ogden, Utah; KPRO, Riverside, Calif.; WAAB and auxiliary Boston; WDBC, Escanaba, Mich.; WHK, Cleveland, Ohio; WHOM and auxiliary, Jersey City, N. J.; WOKO and auxiliary, Albany, N. Y.; WQBC, Vicksburg, Miss.; WWRL, Woodside, L. I., New York.

The licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending February 1, 1943:

KBUR, Burlington, Iowa; WCRS, Greenwood, S. C.; WSYB, Rutland, Vt.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1943:

KBST, Big Springs, Texas; KCMC, Texarkana, Texas; KCRJ, Jerome, Ariz.; KGEZ, Kalispell, Mont.; KGFW, Kearney, Neb.; KGGF, Coffeyville, Kans.; KGKL, San Angelo, Texas; KHBC, Hilo, Hawaii; KHBG, Okmulgee, Okla.; KID, Idaho Falls, Idaho; KIEM, Eureka, Calif.; KPLT, Paris, Texas; KRBA, Lufkin, Texas; KRBC, Abilene, Texas; KVGB, Great Bend, Kans.; KWFC, Hot Springs, Ark.; KWKH, Shereveport, La.; KXL, Portland, Ore.; WBBZ, Ponca City, Okla.; WBNX, New York City; WBRW, Welch, W. Va.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WCOC, Meridian, Miss.; WCOP, Boston; WEDC, Chicago; WFCI, Pawtucket, R. I.; WFIN, Findlay, Ohio; WFPG, Atlantic City, N. J.; WFTC, Kinston, N. C.; WGES, Chicago; WING, Dayton; WJBW, New Orleans; WLBJ, Nr. Bowling Green, Ky.; WLOF, Orlando, Fla.; WMRO, Aurora, Ill.; WNBZ, Saranac Lake, N. Y.; WOCB, Nr. Hyannis, Mass.; WSPB, Sarasota, Fla.; WTEL, Philadelphia, Pa.; WTRC, Elkhart, Ind.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1943.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1943.

W8XO—The Crosley Corp., Nr. Mason, Ohio.—Present license further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1943.

MISCELLANEOUS

KWTO—Ozark Broadcasting Co., Springfield, Mo.—Granted modification of construction permit as modified, for change in hours of operation, installation of directional antenna for night use, and move of transmitter, for extension of completion date from November 19, 1942, to May 18, 1943 (B4-MP-1657).

WDEL—WDEL, Inc., Wilmington, Del.—Granted modification of construction permit as modified, for increase in power, installation of new transmitter and directional antenna for day and night use, for extension of completion date from November 17, 1942, to December 17, 1942 (B1-MP-1670).

WALB—Herald Publishing Co., Albany, Ga.—Granted authority to determine operating power by direct measurement (B3-Z-1302).

W45BR—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Granted license to cover construction permit for new high frequency broadcast station and change studio location locally (B3-LH-2).

W69PH—WCAU Broadcasting Co., Philadelphia, Pa.—Granted license to cover construction permit for new high frequency broadcast station (B2-LH-27).

KEX—Oregonian Publishing Co., Portland, Ore.—Denied request for special service authorization to install a 10 KW transmitter, and operate with 10 KW power with present vertical antenna for the license period ending January 1, 1943. (The present assignment of KEX is **1190 kc.**, 5 KW power, unlimited time (B5-SSA-30)).

APPLICATIONS FILED AT FCC

860 Kilocycles

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—License to cover construction permit (B5-P-2631 as modified) which authorized increase in power, change hours of operation, install new transmitter and directional antenna for night use and move transmitter.

910 Kilocycles

WABI—Community Broadcasting Service, Bangor, Maine.—Modification of construction permit (B1-P-2349 as modified) which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use for change in type of transmitter and extension of commencement and completion dates.

1090 Kilocycles

KTHS—Radio Broadcasting, Inc., Hot Springs National Park, Ark.—Extension of special service authorization to operate unlimited time (simultaneous with WBALO) with power of 1 KW night, 10 KW daytime for the period ending 4-1-44.

1140 Kilocycles

KGDM—E. F. Peffer, Stockton, Calif.—Modification of construction permit (B5-P-3199 as modified) which authorized change in frequency, increase in power, change in hours of operation, installation of new transmitter and directional antenna for night use, for extension of completion date from 12-20-42 to 1-20-43.

1220 Kilocycles

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Construction permit to make changes in equipment, change in directional antenna for day and night use, change frequency from **1480 kc.** to **1220 kc.**, increase power from 1 KW night, 5 KW daytime to 5 KW day and night. Amended to request move of transmitter to Broadview Heights Village, Ohio.

1240 Kilocycles

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—License to cover construction permit (B4-P-3178 as modified) which authorized construction of new standard broadcast station.

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Modification of construction permit (B5-P-3100 as modified) which authorized installation of directional antenna and increase in power for extension of completion date from 12-16-42 to 1-16-43.

1300 Kilocycles

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Modification of construction permit (B2-P-2874 as modified) which authorized increase in power, move of transmitter and studio, installation of new transmitter and directional antenna for night use for extension of completion date from 11-23-42 to 12-23-42.

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—License to cover construction permit (B2-P-2874 as modified) which authorized increase in power, move of transmitter and studio, installation of new transmitter and directional antenna for night use.

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Authority to determine operating power by direct measurement of antenna power.

1320 Kilocycles

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—License to cover construction permit (B2-P-2947 as modified) which authorized increase in power and installation of directional antenna for night use.

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Authority to determine operating power by direct measurement of antenna power.

WATR—The WATR Co., Inc., Waterbury, Conn.—Voluntary assignment of license from The WATR Co., Inc., to Harold Thomas.

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

W75P—Westinghouse Radio Stations, Inc., Pittsburgh, Pa.—License to cover construction permit (B2-PH-66 as modified) which authorized construction of new high frequency broadcast station, in part, in accordance with Commission Action of 8-4-42.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Albee Studio, 1426 G St., N. W., Washington, D. C., selling and distributing photographs, colored photographs, and enlargements and miniatures of photographs, is charged in a complaint with misrepresentation. (4871)

Purity Candy Company—Use of lottery methods in the sale of candy to ultimate purchasers is alleged in a complaint issued against Peter and James Anastasoff, trading as Purity Candy Co., 1135 North 6th St., St. Louis. (4872)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Consumer's Research Service and Consumer's Report Service, 223 West Jackson Blvd., Chicago, has been ordered to cease and desist from misrepresentation. (4734)

Sterling Sales Co., and Craftsman Sales Co., 775 West Jackson Blvd., Chicago, have been ordered to cease and desist from the use of lottery methods in the sale of novelty merchandise. (4656)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Cosby Brush & Import Co., Inc., 630 Fifth Ave., New York, engaged in the sale and distribution of combs and brushes has stipulated, in connection with the sale and distribution of products not produced in London, England, to cease and desist from use of the words "Kent of London" as a trade-mark for the products or as descriptive thereof, and from use of the word "London," either alone or in connection with the word "Kent," so as to convey the belief that the products were produced in or imported from London, England. (3562)

Federal Adjustment Bureau, 2718 East Franklin St., Richmond, Va., engaged in the sale and distribution of mimeographed, multigraphed or printed material consisting of form letters for use in collecting accounts, has stipulated to cease and desist from use of the word "Federal" as part of his trade name and from use of such word or other words of similar meaning so as to convey the belief that he is connected or associated with the Federal Government or any agency thereof. (3563)

Flock Manufacturing Co., 4th and Cambria Streets, Philadelphia, selling and distributing knitting yarns, have stipulated that, in connection with the advertising and sale of their products, they will cease and desist from use of the words "Scotch," "English," "Devonshire," "French" or "Shetland" as descriptive of yarns made in the United States of domestic wool and from use of these words in any way to imply that the products are imported from the country or places indicated; from advertising or selling products composed in whole or in part of rayon without clearly and unequivocally disclosing the fact that the products contain rayon, and, when they are composed in part of rayon, from failing to disclose each constituent fiber or material by name in the order of its predominance by weight, beginning with the largest single constituent. (3566)

H. A. Langmaid Manufacturing Co., Elmira, N. Y., packaging and distributing a powder preparation for treating hosiery and lingerie, has stipulated to discontinue use of the words "Not-A-Run" as a trade name for the preparation and from use of the words "Prevents Runs and Tears" or any similar statement conveying the belief that use of the preparation on fabrics such as silk hosiery or lingerie will eliminate the possibility of or prevent runs and tears in the fabrics so treated. The respondent also agrees to stop using the word "Manufacturing" as part of his trade name so as to convey the belief that he makes or manufactures the preparation, or owns, operates, or controls the plant or factory in which it is manufactured. (3565)

Presto Recording Corp., 242 West 55th St., New York, selling and distributing recording discs designated "Presto Discs," has stipulated in connection with the sale and distribution of its recording discs, to cease and desist from representing that the bases of the discs are composed of plate glass. (3567)

Sanitary Feather Works, Fort Worth, Texas, selling quilts and pads designated "Fetherfluff," has stipulated to cease representing that bedding sold on the market in competition with his products will be harmful to the user; that use of his commodities will cause the user to enjoy a more healthful, restful and revitalizing sleep than do competitive products; that use of his commodities is an effective treatment for rheumatism, arthritis and similar diseases or that they retain their efficiency without impairment for ten years; and that the prices at which he sells his commodities are special or reduced prices applicable for a limited time only when in fact they are the usual prices at which the commodities are sold. (3564)

Vanola Herb Tea Co., 260 East 161st St., New York, selling and distributing a medicinal preparation designated "Vanola Laxative Herb Tea," has stipulated to cease and desist from representing the preparation as an adequate treatment or effective remedy for stomach disorders, headaches, dizziness, or digestive disturbances, or that it has any therapeutic value except as a temporary laxative for the relief of constipation; from use of statements implying that the condition known as sour stomach is caused by temporary constipation or that the preparation is of any value in its treatment; and from representing that the preparation can be relied upon to make the individual healthier or that it has any effect in inducing sound sleep. (3561)

FTC CASE CLOSED

The Federal Trade Commission has ordered that the case growing out of the complaint against John A. Wathen Distillery Co., Louisville, Ky., be closed without prejudice to the right of the Commission, should future facts so warrant, to reopen it and resume trial in accordance with its regular procedure.

The complaint alleged misuse of the name Wathen. The respondent has changed its corporate name from John A. Wathen Distillery Co. to Midwest Industries, Inc.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 48, December 4, 1942

LOCALLY ORIGINATED WAR EFFORT BROADCASTS

Pfod

AUGUST—SEPTEMBER—OCTOBER, 1942

1,534,190 ANNOUNCEMENTS . . . 160,100 PROGRAMS

Tabulated on this page is the record of station sponsored government announcements and programs broadcast during the months of August, September and October. Total announcements and programs for six months ending with October:—

3,075,830 ANNOUNCEMENTS, AND 346,175 PROGRAMS

A substantial amount of time devoted to the war effort by commercial sponsors is not included. Nor are the many sustaining programs originated by networks and broadcast by affiliated stations.

	Spots	3 Min. Live	5 Min. Live	10 Min. Live	15 Min. Live	20 Min. Live	25 Min. Live	30 Min. Live	40 Min. Live	45 Min. Live	55 Min. Live	60 Min. Live	90 Min. Live	105 Min. Live	178 Min. Live
Army	126,710	360	1,460	510	4,590		390	2,100		60		260			
Navy	128,940	1,060		170	4,440	10		590	10	10		10	10		
Marines	98,760		460	360	3,480		10	80						10	
Coast Guard	66,330		170	310	580	90		60							
Civil Service	65,190		20	10	150										
Recr. Shipyard Wrkrs.	5,790														
Recr. Nurses & Doc.	47,110		150	50	60			50							
Labor Recr.,War Ind.Train.	45,560		820	170	1,470			50							
CAA	6,390		220		90										
Treasury	475,340	240	1,740	410	5,930	20	10	1,900	10	230	20	480		20	10
Army Emerg. Relief	7,920		200		270										
U S O	22,660		70	10	630			500							
Red Cross	66,330		330	580	1,000			150							
Civilian Def. All Kinds	46,650	20	3,750	520	3,690			350		10		10	10		
Nutrition	6,640		760	660	1,020		80					10			
Fire Prev. Wk. (Oct. Only)	11,240		200	80	330										
Can't Do Biz. Hitler	160		10												
Neighborhood Call	390				70										
This is Our Enemy					10			140							
Three-Thirds Nation								40							
The Home Front					460			190							
OWI-WPB-OPA-AGRI.	245,000	(Total Programs Various Lengths—21,810)													
Fuel Conservation	30,740														
Other Agencies	30,340		880	920	7,010		80	1,690	10	20		70			
TOTALS	1,534,190	1,680	11,240	4,760	35,280	120	570	7,850	30	330	20	840	20	30	10

	210 Min. Live	260 Min. Live	360 Min. Live	3 Min. ET	5 Min. ET	10 Min. ET	15 Min. ET	20 Min. ET	30 Min. ET	60 Min. ET
Army					80	10	9,150			
Navy	10	10					10,350	20	70	
Marines						110	3,970		40	
Coast Guard							10			
Civil Service							50			
Labor Recr. & War Ind. Train.							230			
Treasury			10	700	5,290		39,490		100	40
U S O							10			
Red Cross							10		10	
Civilian Def. All Kinds							180			
Nutrition							160			
Fire Prevention					170	20	890			
Can't Do Biz. Hitler							10,920			
Neighborhood Call							7,120			
This is Our Enemy									1,250	
Three Thirds Nation									210	
The Home Front							130			
OWI—WPB—OPA—AGRI.	(Total ET's various lengths—16,220)									
Other Agencies					540	30	5,710		120	
TOTALS	10	10	10	700	6,080	170	88,380	20	1,900	40

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

EXTENSION OF OPERATORS PERMITS REQUESTED FROM FCC

Broadcasters of District 17 started the ball rolling to secure action by the Federal Communications Commission in extending the period during which restricted operators permits will be valid.

Unanimously adopting a resolution prepared by Marshall H. Pengra, KRNR, the Washington-Oregon broadcasters put the stamp of approval upon a move to secure an extension for 6 months of the time during which restricted operators employed by stations would be permitted to serve. Strength has been gathered behind this resolution by its adoption by the District 11, 10 and 9 broadcasters.

NAB has officially transmitted the original District 17 resolution and a explanatory letter regarding it, written by Mr. Pengra, to FCC-BWC Chairman James Lawrence Fly. Howard Frazier, NAB alternate on Domestic Broadcasting Committee IV of BWC has been instructed to urge the matter before that Committee.

Sales

RETAIL PROMOTION COMMITTEE MEETS

The enlarged Retail Promotion Committee announced in Retail Promotion Bulletin No. 2, held its first meeting in Chicago coincident with the District 9 meeting. Sheldon Coons, radio and retail consultant to the committee, discussed methods of implementing the plan. Chairman Paul W. Morency reports that he and all of the members of the committee are very much gratified at the manner in which the stations have responded to the financial campaign.

"We now feel assured," said Chairman Morency, "that the necessary finances to carry out the committee plan will be forthcoming. We will hold another meeting of the full committee some time after the first of the year when the District meetings have all been completed. At that time we hope to crystalize our activity and get the retail promotion plan under way."

Following are the members of the enlarged Retail Promotion Committee:

Paul W. Morency, Chairman
WTIC, Hartford, Conn.
Robert E. Bausman
WISH, Indianapolis, Ind.
Gene L. Cagle, Texas State Network, Ft. Worth, Tex.
Dietrich Dirks
KTRI, Sioux City, Iowa
William C. Gillespie
KTUL, Tulsa, Okla.
Sherman D. Gregory
WEAF, New York, N. Y.
Kenneth K. Hackathorn
WHK-WCLE, Cleveland, O.
Arthur Hull Hayes
WABC, New York, N. Y.
Walter Johnson
WTIC, Hartford, Conn.
C. L. McCarthy
KQW, San Jose, Calif.
John M. Outler, Jr.
WSB, Atlanta, Ga.
Oliver Runchey
KOL, Seattle, Washington

OPA ON RETAIL STANDARDS

In his presentation at District Meetings, Lewis H. Avery, Director of the Department of Broadcast Advertising, is pointing out some of the problems confronting retailers under wartime economy. Some of the factors that are being emphasized are:

All retailers are going to have less to sell.

Retailers' costs are going up and their profits are coming down.

Retailers will have to cut down on many services.

Customers will need more help and advice in buying than ever before.

As a part of the presentation, broadcast advertising is urged as the best medium for retailers to tell their customers what they are trying to do for them—what their problems are—why customers should buy more efficiently and economically—why retailers are short of help—why they must cut down on many services. Because broadcasting brings the colorful, persuasive human voice into the homes of customers, this medium has been promoted as the most effective to create public sympathy and support for retailers. The retailer must keep his customers' good will if he is to survive the crisis in merchandising brought on by the war. And broadcasting is the perfect means for creating and holding good will.

The problems which all retailers face were somewhat crystallized by the order issued November 24, 1942, by Administrator Leon Henderson at the Office of Price Administration. The advance release, accompanying the order, says in part:

"Shopping in wartime America is going to mean new problems for the women of this generation, who are used to a variety of store services unknown to their mothers and grandmothers. That much is clear from the order which authorizes curtailment or elimination, without lowered ceiling prices, of a number of shopping conveniences that most people have taken for granted up to now.

"The order allows retailers to curtail non-essential delivery service. Any merchant can tell his customers to carry their own packages, whether the order is made over the counter or by telephone—provided the bundles are of reasonably carryable weight and size and do not contain items necessary in an emergency, such as drug prescriptions.

"The order also allows stores to do away with sales on approval and most returns of merchandise, and OPA recommends that they do so. The order permits them to cut out such services as "layaways," free phone service, gift wrapping after the Christmas holidays, style shows, bridge classes, exhibitions and holiday decorations.

"The measures are only part of a steadily widening picture of store economy. Deliveries already have been cut—many stores now deliver only once or twice a week. Credit has been restricted—strict controls have been placed over loans and installment buying, and shorter periods allowed for paying up charge accounts.

"As most commodities, transportation facilities and manpower are absorbed into the war effort, the situation is bound to become tighter. During 1943, no woman will be able to buy as much as she wants of anything. And this means not only radios and refrigerators, but food, clothing, drugs and other essentials. Stores will have too many customers and too few goods to sell."

Section VI of the order carries instructions of special interest to all radio station sales staffs. Here is the text of that section:

"*Special promotional expenditures.* Reduce by at least 50% of similar expenditures during 1941, the cost of purely promotional devices, examples being holiday decorations, style shows, exhibitions, etc.

"This recommendation does not apply to advertising or to promotional or educational programs directly connected with the war effort, such as sales of bonds, price control education, or education of consumers concerning necessity of wartime economies."

All of the new curtailments and restrictions clearly indicate the need for a new approach to advertising on the part of department stores and retail establishments. The need for this new approach will be coupled with the promotion of broadcast advertising by alert station managers, sales managers and salesmen. Obviously, the general public needs to be told about these curtailments and restrictions. Such educational work can be done more convincingly and effectively through broadcasting.

PER INQUIRY AND FREE TIME REQUESTS

The Robert Peterson Advertising Agency, Chicago, is asking for time on a per-inquiry basis for a Vitamin Health Food account and a Life Insurance account.

The Greeting Card Industry, New York City, is still attempting to secure free time to promote the sale of greeting cards.

Labor

SALARY STABILIZATION

The Treasury Department on December 2 issued its regulations on the stabilization of salaries above $5,000 and salaries of $5,000 or less paid to *unorganized* executive, administrative and professional employees.

The regulations also covered the enforcement of the $25,000 limit.

Increases in salaries over which the Treasury Department has control must be approved by the Commissioner of Internal Revenue before going into effect. The Treasury indicates that it will follow approximately the same general policy as previously outlined by the War Labor Board for salaries under $5,000 (see NAB Reports, p. 647).

The text of the Treasury Statement is printed on p. 684.

The War Labor Board on December 2 held that automatic cost-of-living increases provided by union agreements must not bring salaries to more than 15 per cent above their January, 1941, figure.

GRIFF WILLIAMS DECISION

The Supreme Court has refused the request of the American Federation of Musicians to review the "Griff Williams case."

In this case, the Seventh Circuit Court of Appeals held that Williams, the leader, and not the proprietor of a dance hall where Williams and his band played, was the employer of the musicians for social security tax purposes.

Williams, the court found, selected, discharged and trained the members of the band. The proprietor of the dance hall paid a contract price by check to the leader who in turn paid the orchestra members by his own checks under separate agreement with them.

The court found that the dance hall proprietor had no right of direction and control necessary to establish the employer-employee relationship between him and the orchestra members.

The facts in this case should be carefully considered in determining how it might be used as a precedent.

District Meetings

DISTRICT 10

"When that part of the world's history is written, for which you and I are responsible," declared Neville Miller, President of the NAB, at the luncheon meeting on the second day of the Tenth District meeting at the Hotel Fort Des Moines in Des Moines, Iowa, "there will be many dark pages dealing with racial hatred, religious persecution, selfishness, murder and slavery."

Petrillo Hearing in January

Senator D. Worth Clark (D-Idaho), Chairman of the sub-committee of the Senate Interstate Commerce Committee, appointed to investigate the recording ban imposed by James C. Petrillo, AFM President, announced on Tuesday that January 12 has been set as the date for the beginning of the hearings.

With the 77th Congress tottering to a close on the first of the year and many Senators absent from Washington, Chairman Clark found it impossible to secure the attendance of a majority of his committee. He thought it unwise to start the hearings so shortly before the holidays, feeling he might be confronted with the necessity for carrying them over into the next congressional session.

"But there will be many bright pages, too," he added, "more bright pages, we hope, than we now believe possible. Those bright pages will deal with the deeds of heroes, of service, of sacrifice. Our ambition and our determination is that one of those bright pages will be entitled: 'The History of Radio.'"

Earlier in his address, Mr. Miller had pointed out that radio has a tremendous job in the war effort of the United States. "This country has yet to catch the spirit which is necessary for final victory," he emphasized. "Radio's job is to build that spirit—to hold and advance the home front."

"As the struggle reaches a climax, resources of all kinds are strained to the limit and the strain is not the least on the nerves and faith of a nation. It is not for the broadcasters," added Mr. Miller, "to initiate public policies or to try to usurp or direct the functions of government, but to be the medium of enlightened inspiration and faith; to stimulate every citizen to brush aside doubt, misgiving, fatigue and indifference; to banish rumors; to carry the torch of liberty; to keep bright the fire of patriotism."

Mr. Miller's talk was delivered before thirty-one invited guests of the broadcasters, government and industry representatives, who attended the two-day meeting at the Hotel Fort Des Moines on November 27 and 28, 1942. The guests at the luncheon on the second day included representatives of the principal civic and social organizations in Iowa. Director-at-Large J. O. Maland of WHO presided at the luncheon.

The two-day meeting was called to order at 1:00 p. m. on Friday, November 27, 1942, by District Director John J. Gillin of WOW. Among the speakers on the opening day of the meeting were: Neville Miller; Lt. Col. Herbert H. Glidden, Internal Security Division, Seventh Area Warning Center; Carl Haverlin, Headquarters Consultant, Radio Bureau, Office of War Information; Eugene Carr, Office of Censorship; John Nollen, Iowa State Chairman, War Bond Sales Committee; Major Howard O. Peterson, Chief, Radio Branch, Public Relations Bureau, Seventh Service Command and Lewis H. Avery, NAB Director of Advertising, who with John M. Outler, Jr., of WSB, presented the Retail Promotion Plan.

The meeting voted its confidence in Neville Miller and unanimously adopted a resolution endorsing the NAB's A. F. of M. policy.

On the second day, the attendance was divided into two groups: the station managers attended the principal meeting, at which Brig. Gen. Charles H. Grahl, Director of Selective Service for Iowa, Howard Wertz, Director of Public Advice and Counsel, Seventh Defense Region and Lt. Dennis, Public Relations Office, Navy Department, spoke. Another meeting was presided over by Dietrich Dirks of KTRI in the absence of Sam H. Bennett of KMBC, District Chairman of the Sales Managers. At this meeting, Mr. Avery outlined some of the problems and opportunities which face broadcasters during the coming year:

Those in attendance at the Tenth District meeting included:

Anderson, Ed., WOW; Andrews, Larry, KICD; Avery, Lewis H. NAB.

Barnhart, L. D., KXEL; Beckman, Richard W., WOI; Bennett, Sam H., KMBC; Blink, Milton, Std. Radio; Bondurant, Hale, WHO; Born, L. W., KGLO; Breen, Edward, KVFD; Broxman, Pearl B., WSUI; Burke, Harry, WOW.

Carr, Eugene, Office of Censorship; Chizzini, Frank E., NBC; Conklin, Neil C., WOC; Cosby, Clarence G., KXOK; Crawford, Lois, KFGQ.

Dillon, Bob, KSO-KRNT; Dietrich, Dirks, KTRI, Du Mond, Joe, KXEL; Du Mond, Jack, KXEL.

Eighmer, F. C., KGLO; Enns, Ted, IBS; Evans, Ralph, WHO.

Fair, Harold, WHO; Falvey, Jack, KBIZ; Fitzgibbons, L. O., WOC; Flanagan, Wm. L., KSO-KRNT; Fulton, Harold W., WHO; Fitzer, Dean, WDAF.

Gaines, James M., NBC; Gillin, John J. Jr., WOW; Gedt, Gene, WHO; Gordon, K. S., KDTH; Griffin, Josephine, KFGQ.

Hagenah, Gaston M., SESAC; Haverlin, Carl, U. S. Treas.; Hoekstra, Jerry, KMOX; Hull, Dick, WOI; Hurleigh, Bob, Assoc. Press.

Jones, Merle S., KMOX.

Kaney, A. W., NBC; Kauffmann, Harry J., WDAF; Keller, Robert S., AMP; Kerrigan, Jack, WHO; Ketera, Wm., WOW; Koerper, Karl, KMBC.

Lane, C. Howard, CBS; Langlois, "Cy," Langworth; Law, Glen B., KSO-KRNT; Lawrence, Craig, IBS; Linehan, Edmund, IBS; Lottridge, Buryl, WHO; Ludlam, George, O.C.D.

McDermott, G. B., KBUR.

Macon, Don, KMBC; Maher, Marie, KBON; Maland, Joe, WHO; May, Earl E., KMA; Meltzer, Martin, ASCAP; Menzer, Carl, WSUI; Miller, Neville, NAB; Mulready, Tem, Munkef, Soren, WOW.

Nolan, L. W., KICD.

Outler, John M. Jr., WSB.

Patterson, Gerald, KSO-KRNT; Plambeck, Herb, WHO; Poynor, D. J., WMBH.

Quarton, S. D., WMT; Quentin, C. F., WMT.

Rapp, J. C., KMA; Ripper, Glenn, KMMJ.

Sanders, Charles L., WSUI; Scheer, Thomas, WHO; Searle, Don., KOIL-KFAB-KFOR; Schilling, John T., WHB; Samuels, Frank Jr., KOIL-KFAB; Shopen, F. E., KOWH; Saddler, Owen, KMA; Sexton, Morgan, KROS; Steelman, Stuart, WHO.

Von Linder, L., WMT.

Wahlstedt, John, WHB; Weber, Otto, WHO; Weeds, Weedy, WHO; Wiseman, Wm., WOW.

The guests of the broadcasters at the luncheon on the second day included:

Mr. John B. Kimberley; Mr. V. G. Lindgren; Mrs. S. E. Lincoln, PTA; Prof. Alfred Severson, National Conference of Christians and Jews; Lieut. Truman Jones, U. S. Navy; Miss Ruth Green, American Red Cross; Y2/c Jules Hack, U. S. Coast Guard; Mr. H. Chenhall, Wages and Hours Division; Mr. D. W. Crum, U. S. Employment Service; Capt. Frank Miles, Selective Service; Lt. I. J. Mirkin, U. S. Army, Camp Dodge, Iowa; Mr. W. I. Griffith, WOI; Mrs. Ione Moorhead, "Variety"; Mr. Charles I. Madison, Community Chest; Mr. E. G. Barrett, Drake; Col. Arthur Wallace, Iowa State Guard; Miss Genevieve Clayton, Camp Fire Girls; Mrs. Max Mayer, Jewish Community Center; Mrs. M. Myrton Skelley, American Legion Auxiliary; Miss Mercedes Lind, Iowa War Service, Nursing Council; Mr. J. S. Russell, AMA; Mr. Max W. Van Horn, VFW; Mr. Frank T. Dillon, YMCA; Mrs. Fred Weitz, Iowa Club Women; Mr. Forrest B. Spaulding, City Library; Hon. John McVicar, Mayor; Brigadier Enoch Hicks, Salvation Army; Mr. George Haskell, OPA, State Information Officer; Mr. N. Harold West, Boy Scouts; Mr. Addison Smith, Ruthrauf & Ryan; and Miss Scurlock, YWCA.

Leslie C. Johnson of WHBF was elected District Director at the conclusion of the two-day meeting of the Ninth District of NAB in the Palmer House, Chicago, Ill., on November 30 and December 1, 1942. Mr. Johnson's term of office begins with the end of the 1943 NAB Convention.

The meeting was called to order by District Director Edgar L. Bill of WMBD at 10:00 a. m. on Monday morning. Neville Miller, president of NAB, followed the opening remarks of District Director Bill with an outline of the war work of NAB. More than 85 broadcasters, government and industry representatives heard talks on the opening day by these delegates from various government agencies and departments, charged with the war effort:

Carl Haverlin, Headquarters Consultant, Radio Branch, OWI; Eugene Carr, Office of Censorship; Col. Irvin, and Major Earnest M. Culligan, Selective Service Administration; Eugene J. Brock and John Russell of the War Manpower Commission; Kenneth Carpenter, Treasury; Pete Peterson, Radio Branch, OWI; Lts. Holman Faust and Bruce Dennis, Public Relations Office, Navy; John N. W. Sloan, Regional Director, Office of Public Advice and Counsel, OCD; Harold Harvey, Director of Radio, Michigan Council of Defense; Miss Georgene O'Donnell, OCD; Lt. Col. Edward M. Kirby, Chief, Radio Branch, Army; Major Forster, British Embassy.

At luncheon on the opening day, John M. Outler, Jr., of WSB, Chairman of the Sales Managers Executive Committee, and Lewis H. Avery, of the Department of Broadcast Advertising, outlined the Retail Promotion Plan, with members of the Retail Promotion Committee present at the luncheon. Chairman Paul W. Morency called a meeting of the committee coincident with the Ninth District meeting to review the presentation of the plan and to study the effort to obtain subscriptions.

The first half of the meeting on the second morning was devoted to a discussion of the AFM-Petrillo problem by Neville Miller, with supporting talks by Milton Blink of Standard Radio and Cy Langlois of Lang-Worth. John Wooden of ASCAP and Bob Keller of AMP also spoke.

The latter part of the morning meeting was dedicated to a discussion of sales problems by James F. Kyler of WCLO, District Chairman of the Sales Managers Division and Mr. Avery of NAB. At the luncheon meeting on the second day, Mr. Avery discussed "Good Taste in Radio Advertising."

Resolutions unanimously endorsing the OWI plan, the NAB stand on the AFM-Petrillo situation, and the Retail Promotion Plan were adopted.

Those registered:

Ed. Allen, WIBA; Lewis H. Avery, NAB; Frank M. Baker, WJWC; R. E. Bausman, WISH; Lawrence Bendiner, OCD; Edgar L. Bill, WMBD; John Blair (John Blair & Co.); Milton Blink, Standard Radio; Hugh K. Boice, Jr., WMBD; P. H. Booton, WDZ; Walter J. Buxton, WBBM; Gene Cagle, KFJZ; Emmons C. Carlson, NBC-WMAQ; Eugene Carr, Off. of Censorship; Frank E. Chizzini, NBC; Marie E. Clifford, WHFC; William R. Cline, WJWC; Sheldon R. Coons, NAB; Maurice Corken, WHBF; Thomas R. Curran, United Press; Edgar C. Deffenbaugh, WSOY; Dietrich Dirks, KTRI; Frances J. Dixon, WENR; John A. Dyer, WAIT-WGES-WSBC; Leslie Edgley, WENR; Brad Eidmann, WAAF; Edwin G. Foreman, Jr. (The Foreman Co.), Major R. B. Forster, c/o British Embassy; James M. Gaines, NBC; S. D. Gregory, WEAF; Gaston W. Grignon, WISN; K. K. Hackathorn, WHK;

Harold M. Harvey, Michigan Council of Defense; Carl Haverlin, BMI-OWI; Arthur Hull Hayes, CBS; William S. Hedges, NBC; Jules Herbuveaux, NBC; Clair B. Hull, WDZ; Bob Burleigh (Associated Press); W. E. Hutchinson, WAAF; C. Johnson, WHBF; Walter Johnson, WTIC; Paul H. Jordan (OWI); A. W. Kaney, NBC; Robert S. Keller, AMP; Lt. Col. E. M. Kirby; Harry C. Kopf, NBC; James F. Kyler, WCLO; C. Howard Lane, CBS; "Cy" Langlois (Lang-Worth); Harry R. LePoidevin, WRJN; Emilie U. Lepthien, WBEZ; Horace Lohnes; George A. Mann (OWI); C. L. McCarthy, KQW; Joseph A. McDonald, WMAQ; A. M. McGregor, WJBC; Vincent McMahon (Press Association); Chester Miller, WJWC; Neville Miller, NAB; Frank R. Mills, WDWS; Vernon Nolte, WMBD; Georgene O'Donnell, 6th Region OCD—Radio Director; Hugh O'Malley, WISN; John M. Outler, Jr., WSB; Robert Parsons, WMBI; S. J. Paul; Walter J. Preston, WBBM; Paul Ray (John Blair & Co.); Walter C. Schafer, WDZ; Ray E. Schwartz, WOSH; Walter Schwimmer, Schwimmer & Scott; Alex Sherwood, Standard Radio; Jean Simpson, WBEZ; John Sloan, OCD; J. Kelly Smith, WBBM; Burt Squire, SESAC; James L. Stirton, WENR; Wallace Stone, Press Association, Inc.; Harry G. Templeton, WLS; Paul B. Upson, WTRC; J. L. Van Volkenburg, WBBM; Pierre Weis, Lang-Worth; John C. Wooden, ASCAP.

DISTRICT 8

"Despite the cry for more armaments and more men on the fields of battle, the greatest need is right here in the hearts of our people," declared the Hon. Henry F. Schricker, Governor of Indiana, in a talk at the luncheon meeting on the opening day of the two-day meeting of the Eighth District of NAB at the Columbia Club in Indianapolis, Ind., on December 2, 1942.

"Here," continued Governor Schricker, "radio serves with increasing distinction. But," he added, "a greater problem than ever will be presented when the war is over. Then you will have an opportunity to save the American people from themselves. When the war is over, the great time for disturbers will arrive. Then the real challenge will come. Then our enemies will try to develop dissention and suspicion among the United Nations for their own ends."

"We, as Americans, must solve our own problems," concluded Governor Schricker, and, referring to radio, "I don't know of any other agency that will have a greater opportunity to serve Americans in those trying days."

The meeting of the Eighth District of NAB was called to order by District Director John E. Fetzer of WKZO at 10:00 a. m. on December 2, 1942, in the Columbia Club. More than fifty broadcasters, government and industry representatives attended the two-day conference.

The opening day speakers included: Director Fetzer; Neville Miller, President of NAB, who outlined the war work of NAB; Carl Haverlin, Headquarters Consultant, Radio Branch, Office of War Information; Gene Pulliam of WIRE, Treasury; Ben Darrow, Regional Director, Office of Civilian Defense; Lieut. Holman Faust, Public Relations Office, Navy; Lieut. Morton, Public Relations Office, WAAC; Eugene Carr, Office of Censorship; Major R. P. Foster, British Embassy; Col. Hitchcock, Director of Selective Service for Indiana; J. Bradlay Haight, United States Employment Service.

At the conclusion of the first day's sessions President Miller outlined the NAB stand on the AFM-Petrillo problem, but the meeting was adjourned before the subject was completely explored. This discussion was continued at luncheon on the second day, following the meeting of the Sales Managers Division.

The second day's sessions were presided over by Steve Conley of WOWO as District Chairman of the Sales Managers Division. After his opening remarks, Lewis H. Avery lead the discussion of current sales problems.

The featured speaker on the second day was Miss Helen Kennedy of the Kroger Grocery and Baking Company, who outlined the long-time experience of this chain store with broadcast advertising. In the course of her talk, Miss Kennedy pointed out that the familiar serial story had proved the first successful radio vehicle for this well known advertiser. Her able defense of the daytime drama was based on both listener surveys and sales.

Following the talk by Miss Kennedy, John M. Outler, Jr., of WSB, Chairman of the Sales Managers Executive Committee, and Mr. Avery presented the retail promotion plan.

At the regular weekly luncheon of the Indianapolis Advertising Club on Thursday, Dec. 3, 1942, Mr. Avery discussed "This Thing Called Radio."

Following luncheon on the second day, the broadcasters unanimously passed resolutions endorsing the OWI plan, the NAB stand on AFM-Petrillo and the retail promotion plan.

DISTRICT 17

Additional attendance at the District 17 meeting:

Warren E. Stoffer, KWIL; Hal Byer, KWIL; Frank L. Hill, KORE; L. W. Trommlitz, KORE; Ralph E. Smith, KUIN; Lawrence L. King, KUIN; Ben E. Stone, KOOS-KLBN; Charles E. Couche, KOIN; J. F. Hiddleston, KIRO; Birt F. Fisher, KOMO-KJR; Sidney Lerman, KVAN; Florence Clements, Office of War Information; Beatty Stevens, Victory Center.

PRESIDENT'S WAR DECLARATION ADDRESS

NAB has been advised by Stephen Early, Secretary to the President, that stations are at liberty to re-broadcast the transcribed address of the President made on December 7, 1941, calling for a declaration of war, in connection with any "Pearl Harbor Day" programs.

MILEAGE RATIONING

OPA last Friday released these questions and answers to clear up certain points motorists and other gasoline users have been raising on mileage rationing, which went into effect nation-wide at 12:01 Tuesday, December 1.

1. Q. I was unable to apply for my "A" ration book at the school house registration held in my city last week. How can I get my basic ration?
   A. By applying to your local War Price and Rationing Board, but since local boards will be very busy acting on applications for transport and non-highway rations, they will not be able to receive your application for a basic "A" until December 3, unless you have good reason for consideration before that time.
2. Q. I live in an eastern town where no schoolhouse registration took place in connection with the new mileage program. How do I register my tires?
   A. By obtaining an application form from a service station or other place designated by your local War Price and Rationing Board, filling the form out and sending it to the Board.
3. Q. How soon must I do this?
   A. As soon as possible. In any event soon enough for the board to return to you by December 12 a Tire Inspection Record.
4. Q. Why December 12?
   A. Because beginning the following day, on December 13, it will be illegal to operate your car without the Tire Inspection Record, which is evidence that you have registered your tires and also disposed of any tires over five you may have for the car.
5. Q. How long do I have to dispose of my excess tires?
   A. Until December 1.

6. Q. I got my Tire Inspection Record; now what do I do with it?

A. Keep it with your car as evidence that you have registered your tires, and whenever you have your tires inspected, the inspector will initial the record to show that the inspection has been made.

7. Q. How soon must the first inspection be made?

A. By January 31.

8. Q. At the schoolhouse registration I got my "A" book, but this will not give me enough mileage. Can I get more?

A. Yes, for occupational driving if you can prove need. If the schoolhouse registrar did not give you an application form for a supplemental ration, you may get one from your local rationing board. The application, when filled out, is to be submitted to the board.

9. Q. I have already applied for a supplemental ration but have not received it. If it is not issued before December 1 what should I do for the gasoline I will need to carry on my work?

A. Your "A" book should provide you with sufficient mileage until your supplemental application is acted upon.

10. Q. I formed a car-sharing club. Still my rationing board turned down my application for a "B" book. Is this right?

A. Thousands of car-sharers are operating on "A" books alone. In order to get additional gasoline, you must prove need for more mileage than the "A" will give you, as well as meet car-sharing requirements.

11. Q. My dealer says he will not accept any coupons from me until I write some identification on the back. Is this an OPA requirement?

A. Yes.

12. Q. What identification is required?

A. This varies with types of coupons. All "A", "B", "C" and "D" coupons must have the car license number and state of registration written in ink on the back. Passenger Fleet operators using interchangeable coupon books must write or stamp the fleet name. "T" coupons must be endorsed on the back with the War Certificate number or the fleet name. "E" and "R" coupons must have the name and address of the user written on the back.

13. Q. Does this mean that I must write my license number and state on the back of every one of my "A" coupons?

A. Yes, in ink.

14. Q. What is the purpose of this requirement?

A. It will help insure against misuse of your coupon book in case it is lost or stolen. It will also provide OPA with a valuable means of tracking down thieves and "black market" operators.

15. Q. I applied for a Certificate of War Necessity for my farm truck, but have not yet received it. I am told that I can not get a ration of gasoline, without this certificate. Will I be forced to lay up my truck if my certificate does not arrive before December 1?

A. No. Your local War Price and Rationing Board is authorized to issue a temporary Transport ration in such a case.

16. Q. I have heard that to save my tires, I ought to drive under 35 miles an hour. Is this a "must"?

A. Yes. Your local War Price and Rationing Board may suspend or revoke your ration book if you exceed this speed.

PUBLIC IS BEING EDUCATED TO CARRY SETS

During the last two days, the following stations have reported participation in the plan of educating the public to bring their ailing radio sets to the radio repairman during wartime.

This kind of an educational campaign helps stations render service. To be effective, radio programs must reach people. We can't get away from that.

Every radio station in the country should carry a spot-a-day on a revolving schedule.

KABR—Aberdeen, S. D.
WBAB—Atlantic City, N. J.
WBZ-WBZA—Boston & Springfield, Mass.
WLIB—Brooklyn, N. Y.
WGR—Buffalo, N. Y.
WCAX—Burlington, Vt.
WCHS—Charleston, W. Va.
WIS—Columbia, S. C.
WDNC—Durham, N. C.
WTRC—Elkhart, Ind.
WGBB—Freeport, N. Y.
WJEJ—Hagerstown, Md.
WJOB—Hammond, Ind.
WLAK—Lakeland, Fla.
KGHI—Little Rock, Ark.
WMAN—Mansfield, Ohio
WLBC—Muncie, Ind.
WSM—Nashville, Tenn.
WJZ—New York City
*KLX—Oakland, Calif.
WOW—Omaha, Neb.
WPID—Petersburg, Va.
WCAU—Philadelphia, Pa.
WRJN—Racine, Wis.
WDBJ—Roanoke, Va.
WWSR—St. Albans, Vt.
WSAV—Savannah, Ga.
WARM—Scranton, Pa.
WRLC—Toccoa, Ga.
WOL—Washington, D. C.
WOCB—West Yarmouth, Mass.
WBAX—Wilkes-Barre, Pa.

* Reported last week.

WPB COMPLETES TUBE PLANS

Listed below is the TENTATIVE LIST of residential radio receiver tubes whose manufacture during 1943 WPB is expected soon to authorize.

The list should prove of interest to your local radio trade because the members have not yet been apprised of the types to be produced.

A discussion meeting in Washington, December 7, may be expected to produce only slight changes in the list.

Tentative Tube Types for 1943 Production

OZ4
1A5GT/G
1A7GT/G
1C5GT/G
1H5GT/G
1LA4
1LB4
1LC6
1LD5
1LE3
1LH4
1LN5
1N5GT/G
1P5GT/G
1Q5GT/G
1T5GT/G
1V
2A3
2A5
3Q5GT/G
5U4G
5V4G
5X4G
5Y3GT/G
5Y4GT/G
5Z3
6A7
6A8GT/G
6B7
6B8GT
6C5GT/G
6C8G
6E5
6F5GT/G
6F6GT/G
6F8G
6H6GT/G
6J5GT/G
6J7GT/G
6K5GT
6K6GT/G
6K7GT/G
6K8GT/G
6L6G
6L7GT
6N7GT/G
6Q7GT/G
6R7GT/G
6SA7GT/G
6SC7GT
6SD7GT
6SJ7GT/G
6SK7GT/G
6SQ7GT/G
6U5/6G5
6V6GT/G
6X5GT/G
7A4
7A6
7A8
7B5
7B7
7C5
7C6
7C7
7F7
7H7
7J7
7N7
7V7
7Y4
12A8GT
12J5GT/G
12K7GT/G
12Q7GT/G
12SA7GT/G
12SJ7GT/G
12SK7GT/G
12SQ7GT/G
14A7/1237
24A
25L6GT/G
2525
25Z6GT/G
26
27
30
35
35A5
35L6GT/G
35Z3
35Z5GT/G
36
37
38
39
41
42
43
45
47
50L6GT/G
50Y6GT/G
56
57
58
70L7GT
71A
75
76
77
78
80
83
84/6Z4
117L7/M7GT
117Z6GT/G
XXL

GRADUATES OF RADIO COURSE TO WJTN

A number of broadcast stations are now enjoying the benefits of their cooperation in the promotion of Radio Technician Training Courses.

That they have the inherent qualities demanded of the situation is attested by information from Simon Goldman, manager, WJTN, Jamestown, N. Y.

At the present time, WJTN has a fulltime employee who graduated from the ESMWT-NAB course this summer and who followed it up to become a first-class radiotelephone operator. The station also has a second employee on a parttime basis who is a graduate of the course.

In addition Mr. Goldman is contemplating the employment of another student—a graduate of the course—from a nearby city.

"To sum the matter up," said Mr. Goldman, "there is no question but that these courses are filling a great need, not only in the armed forces, but also at radio stations. . . ."

What Is Your Experience?

Are you employing any graduates of these courses? If you are, will you be good enough to so state to NAB and include details covering the situation with your letter.

More of the Fundamentals of Radio courses are being organized and a great many are in operation with students in training well into five figures.

All requests for such training classes originate in the field. If there is not a class in progress in your area, it is suggested that you contact the nearest engineering school. See the ESMWT Institutional Director or the Dean of Engineering. If classes are in progress, it is suggested that you investigate the personnel. Probably there are some students who would like to enter broadcasting through your station.

SUGGESTION FOR STATIONS

Former broadcaster, Jack Hanssen, now undergoing training as an officers candidate in a large middle west camp, reports that the men in his camp "don't know what's on the air or where to find the station."

"Seems to me," he wrote, "that radio stations would be rendering a real service at little cost if they would send copies of their weekly schedules to the camps in the territory they serve."

"Here at —— every division has a radio in its day room and I know the boys in our particular division would like to know when and where to listen."

WAR BRINGS CHANGES TO WHEB

Another WHEB announcer, Edwin Lilja, has gone to the war. Prior to Lilja's departure, the Portsmouth, N. H., station lost Program Director Gordon Kinney to the Office of War Information. Production Manager Bill Bradley left a few months ago, and is now in the Signal Corps.

New additions include Paul Lindsay, formerly of WCAX, Burlington, Vt., as Chief Engineer; Fred Lines, operator, new to radio, from Kittery, Maine; Ed Duffy, salesman; Carl Reed, former WLW dramatic producer, as news commentator; and Ted Bodge, part-time announcer.

WBT TOWER DAMAGED

Columbia's station in Charlotte, North Carolina, lost the top section of the antenna tower during high winds on the night of December 1.

According to reports, approximately 150 feet were destroyed. Excellent work by the station's engineers returned the WBT transmitter to the air about two hours after the accident occurred. Chief Engineer J. J. Beloungy, in New Orleans at the time, made a hasty air trip and aided by tail winds returned to Charlotte in four hours.

RADIO EDUCATION

Radio Station WMT, Cedar Rapids, Iowa, is cooperating to the fullest extent with the Board of Education of that city to help keep American education before the public.

Children of all ages, from kindergarten through the twelfth grade, have the opportunity to broadcast since there are three "shows" per week which are presented by the schools.

There is a "Pupil Discussion" on Friday afternoons where current events are discussed by a group of high school girls and boys.

Two more programs are scheduled for each Saturday afternoon. "School Newscast," a program edited by the classes in journalism, "airs" the outstanding events in the schools of eastern Iowa. Approximately one hundred schools actively participate in this project by appointing reporters who send in news each week to the School Newscast office in Cedar Rapids, Iowa. One hundred thirty-five high school reporters were guests of WMT at the close of school last spring. They were entertained at a theater party, banquet, and special broadcast. The enthusiasm of these boys and girls encouraged the radio station and the Board of Education to continue "School Newscast." This is a ten-minute program.

"The Assembly Room of the Air" is beginning its fifth year of broadcasting. Here in a twenty-minute program, outstanding projects which are being developed in the schools are presented in a unique manner. High school symphonic orchestras play; a capella choirs sing; dramas from high schools and elementary grades also have a place on this broadcast. Each show is complete with its own pupil master of ceremonies. If the kindergarten children are performing, our announcer is a brave five-year-old; if high school people are putting on the show, a boy or girl from that age level presides. The Assembly Room of the Air is informal, natural, yet filled with the vitality of youth. This is an experience of unlimited educational value.

Charles McKinley Saltzman

The FCC this week passed the following resolution on the death of Major General Charles McKinley Saltzman, a former chairman of the Commission:

WHEREAS, The honorable career of General Saltzman as an industrious public servant and an ardent developer of American communications has been brought to a close by his death, be it therefore resolved:

> That the Federal Communications Commission hereby enrolls this memorial in the permanent records of the Commission:
>
> "In memory of Major General Charles McKinley Saltzman, U. S. Army, Retired, who leaves behind him at his death on November 25, 1942, an outstanding record of service to his country. As Chief Signal Officer of the Army from 1924-28 and as a member of the Federal Radio Commission from 1929-32, serving as its Chairman from 1930-32, he guided policies beneficial to American communications. This memorial is enscribed by his successors in communications regulation in recognition of his earlier contributions."

Treasury Salary Regulations

TITLE 29—LABOR

CHAPTER VIII—Commissioner of Internal Revenue

PART 1002—Stabilization of Salaries

Treasury Department,
Office of Commissioner of Internal Revenue,
Washington, D. C.

To Collectors of Internal Revenue
and Others Concerned:

On October 27, 1942, the President approved regulations relating to wages and salaries prescribed by the Economic Stabilization Director (7 F. R. 8748) under the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public No. 729, 77th Congress, 2d Session) and Executive Order No. 9250, dated October 3, 1942 (7. F. R. 7871). Those regulations conferred on the Commissioner of Internal Revenue authority to administer the provisions thereof relating to the stabilization and limitation of certain salaries. In the exercise of the authority so conferred on the Commissioner of Internal Revenue, the following regulations relating to salaries are hereby promulgated.

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AUTHORITY: Secs. 1002.1 to 1002.34, inclusive, issued under Pub. Law 729, 77th Cong., 2d Sess.; E.O. 9250, 7 F.R. 7871; Regs. of Economic Stabilization Director, dated October 27, 1942, 7 F.R. 8748.

SUBPART A.—Definitions

Sec. 1002.1. *General terms.*—When used in these regulations, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(a) The term "Act" means the Act of October 2, 1942, (Public No. 729, 77th Congress) entitled "AN ACT to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes."

(b) The term "Board" means the National War Labor Board created by Executive Order No. 9017, dated January 12, 1942 (7 F.R. 237).

(c) The term "Commissioner" means the Commissioner of Internal Revenue.

(d) The term "Code" means the Internal Revenue Code, as amended and supplemented.

(e) The term "person" has the same meaning as when used in the Code.

(f) The term "General Regulations" means regulations (relating to wages and salaries) issued by the Economic Stabilization Director, approved by the President on October 27, 1942 (7 F.R. 8748), and as amended or supplemented by subsequent regulations issued by the Economic Stabilization Director relating to wages and salaries.

(g) The term "in contravention of the Act" means in contravention of the Act of October 2, 1942 (referred to in paragraph (a) above), Executive Order No. 9250 of October 3, 1942 (7 F.R. 7871), the General Regulations, these regulations and other rulings and regulations promulgated under such Act.

Sec. 1002.2. *Employee and Employer.*—An employee, for the purposes of these regulations, is an individual who performs services for compensation where the relationship between him and the person for whom he performs the services is the legal relationship of employee and employer. An employer is any person for whom an individual performs any services, of whatever nature, as the employee of such person. The term "employer" is not limited to private persons engaged in trade or business, but includes organizations which, under section 101 of the Code, are exempt from income taxation, and also government departments and agencies. The existence of the legal relationship of employer and employee is to be ascertained in the light of the general purposes of the Act and the General Regulations.

Generally, the legal relationship of employer and employee exists when the person for whom services are performed has the right to control and direct the individual who performs the services, not only as to the result to be accomplished by the work done, but also as to the details and means by which that result is accomplished. An employee is generally subject to the will and control of the employer not only as to what shall be done but how it shall be done. In this connection it is unnecessary that the employer actually direct or control the precise manner in which the services are performed; it is sufficient that he has the right to do so. The right to discharge is also an important factor indicating that the person possessing that right is an employer.

Other factors characteristic of an employer, but not necessarily present in every case, are the furnishing of tools and the furnishing of a place to work to the individual who performs the services. In general, if an individual is subject to the control or direction of another merely as to the result to be accomplished by the work and not as to the means and methods for accomplishing the result, he is an independent contractor. An individual performing services as an independent contractor is not an employee as to such services. Physicians, lawyers, architects, contractors and others who follow an independent trade, business or profession in which they offer their services to the public are generally independent contractors and not employees. Whether the relationship of employer-employee exists will be determined upon an examination of the particular facts of each case.

If the relationship of employer and employee exists the designation or description of the relationship by the parties as anything other than that of employer and employee is immaterial. If such relationship exists, it is of no consequence that the employee is designated as a partner, co-adventurer, agent or independent contractor. The measurement, method, or designation of compensation is immaterial if the relationship of employer and employee thus in fact exists.

An officer of a corporation is an employee of the corporation but a director as such is not. A director may be an employee of the corporation, however, if he performs services for the corporation other than those required by attendance at and participation in meetings of the board of directors.

Sec. 1002.3 *Executive employees.*—An individual "employed in a bona fide executive capacity" means any employee—

(a) whose primary duty consists of the management of the establishment in which he is employed or of a customarily recognized department or sub-division thereof, and

(b) who customarily and regularly directs the work of other employees, and

(c) who has the authority to hire or fire other employees or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any change of status of other employees will be given particular weight, and

(d) who customarily and regularly exercises discretionary powers, and

(e) who is compensated for his services on a salary basis at not less than $30 per week (exclusive of board, lodging, or other facilities), and

(f) whose hours of work of the same nature as that performed by employees not employed in an executive, administrative or professional capacity do not exceed 20 per cent of the total number of hours worked in the workweek by the employees under his direction; provided that this subsection (f) shall not apply in the case of an employee who is in sole charge of an independent establishment or a physically separated branch establishment.

Sec. 1002.4. *Administrative employees.*—An individual "employed in a bona fide administrative capacity" means any employee—

(a) who is compensated for his services on a salary or fee basis at a rate of not less than $200 per month (exclusive of board, lodging, or other facilities), and

(b) (1) who regularly and directly assists an employee in a bona fide executive or administrative capacity (as such terms are defined in these regulations), where such assistance is nonmanual in nature and requires the exercise of discretion and independent judgment; or

(2) who performs under only general supervision, responsible nonmanual office or field work, directly related to management policies or general business operations, along specialized or technical lines requiring special training, experience, or knowledge, and which requires the exercise of discretion and independent judgment, or

(3) whose work involves the execution under only general supervision of special nonmanual assignments and tasks directly related to management policies or general business operations involving the exercise of discretion and independent judgment; or

(4) who is engaged in transporting goods or passengers for hire and who performs, under only general supervision, responsible outside work of a specialized or technical nature requiring special training, experience, or knowledge, and whose duties require the exercise of discretion and independent judgment.

Sec. 1002.5. *Professional employees.*—Any individual "employed in a bona fide professional capacity" means any employee who is—

(a) engaged in work

(1) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work, and

(2) requiring the consistent exercise of discretion and judgment in its performance, and

(3) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time, and

(4) whose hours of work of the same nature as that performed by employees not employed in an executive, administrative or professional capacity do not exceed 20 percent of the hours worked in the workweek by such employees; provided that where such non-professional work is an essential part of and necessarily incident to work of a professional nature, this subsection (4) shall not apply, and

(5) (A) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes; or

(B) predominantly original and creative in character in a recognized field of artistic endeavor as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training, and the result of which depends primarily on the invention, imagination, or talent of the employee, and

(b) compensated for his services on a salary or fee basis at a rate of not less than $200 per month (exclusive of board, lodging, or other facilities); provided that this subsection (b) shall not apply in the case of an employee who is the holder of a valid license or certificate permitting the practice of law or medicine or any of their branches and who is actually engaged in the practice thereof.

Sec. 1002.6. *Salary payments.*—The terms "salary" and "salary payment" mean only such salaries over which the Commissioner has jurisdiction. (See section 1002.10 of these regulations.) These terms are not used in any restricted, narrow or technical sense, but encompass all forms of direct or indirect compensation for personal services of an employee which is computed on a weekly, monthly, annual or other basis, other than wages (as defined in the General Regulations and in orders or rulings of the Board). Bonuses, gifts, loans, commissions, fees, additional compensation and any other remuneration in any form or medium whatsoever are considered as falling within the concept of "salary" or "salary payment." Any compensation which is not regarded as wages in the commonly accepted sense of the term is salary notwithstanding that it may be computed on an hourly, daily or piecework basis.

Retainer fees paid to an individual, not otherwise an employee, are not to be considered as salary. Insurance and pension benefits in a reasonable amount (see section 1002.8) are likewise excluded from the terms "salary" and "salary payment."

Although the terms "salary" and "salary payment" do not include any compensation other than for personal services of an employee, the Commissioner is not precluded from determining, after investigation, that amounts denominated, for example, as rents or royalties are in fact salary payments subject to the controls set forth in these regulations.

All amounts paid to, authorized to be paid to, or accrued to the account of any employee during a calendar year for services rendered or to be rendered are to be included as salary for such year.

Sec. 1002.7. *Salary rate.*—The term "salary rate" means the rate or aggregate of rates or other basis at which the salary for any particular work or service is computed, either under the terms of a contract or agreement, express or implied, or in conformity with custom or usage existing in the employer's business establishment. For treatment of commissions and bonuses on a percentage basis see section 1002.14.

Sec. 1002.8. *Insurance and pension benefits.*—Compensation may include insurance and pension benefits. In determining the amount of salary of an employee, the insurance or pension benefit inuring to such employee is not measured by what he will be entitled to receive after the happening of certain contingencies, but rather in terms of the amount of contributions or premiums paid by the employer. To the extent that an insurance and pension benefit inuring to an employee is reasonable in amount, such benefit is not considered as salary as defined in section 1002.6.

Section 165(a) of the Code sets forth the conditions under which a trust forming part of a stock bonus, pension or profit-sharing plan of an employer for the exclusive benefit of his employees or their beneficiaries shall not be taxable for Federal income tax purposes. Contributions by an employer to an employees' trust or under an annuity plan, which trust or plan meets the exemption requirements of such section 165(a) (as of the date the contributions are made), shall be considered as reasonable, regardless of the amount of such contributions. On the other hand, contributions by an employer to an employees' trust which is subject to Federal income taxation because it does not meet the requirements of such section 165(a) shall be treated, for purposes of these regulations, as salary.

To the extent amounts paid by an employer on account of insurance premiums on a policy on the life of an employee are deductible by the employer in computing net income under the conditions set forth in section 23(a) of the Code (relating to deductions for ordinary and necessary business expenses), such amounts are not considered as salary. The amount of insurance premiums that will be considered as falling outside the concept of salary cannot exceed the amount of such premiums deductible by the employer for Federal income tax purposes. If, however, such insurance premiums are includible in the gross income of the employee (for whose benefit the insurance has been taken out), as well as deductible by the employer, the amount which shall not be considered as salary in respect of such employee may not exceed 5 percent of the employee's annual salary determined without the inclusion of insurance and pension benefits.

The application of the preceding paragraph may be illustrated by the following examples. An employer having 20 salaried employees takes out life insurance policies on each of such employees in favor of beneficiaries designated by them. The premiums paid for 10 of the employees are in each instance 7 per cent of the employee's annual salary (exclusive of insurance and pension benefits). As to the remaining 10 employees the premiums in each instance are 5 percent of the employee's annual salary (exclusive of insurance and pension benefits). It is assumed that with respect to each employee the premium paid would be includible in his gross income under the Code and would be deductible by the employer under section 23(a) of the Code. As to the first 10 employees 2 percent of the premiums in each instance will be considered as salary, whereas no part of the premiums will be considered as salary in the case of the second group of employees. If, however, none of the premiums were deductible in computing the net income of the employer, then the entire amount of the premium in each instance would be considered as salary to the employee involved.

Premiums paid by an employer on policies of group life insurance without cash surrender value covering the lives of his employees, or on policies of group health or accident insurance, the beneficiaries of which are designated by such employees do not constitute salary (regardless of the amount of salary otherwise received annually by such employees) if such premiums are deductible by the employer under section 23(a) of the Code.

Sec. 1002.9. *Approval by Commissioner.*—Wherever the terms "approval by the Commissioner" and "determination by the Commissioner" are used in these regulations they shall, except as otherwise provided, include an approval or determination by a regional officer of the Salary Stabilization Unit established by the Commissioner under Treasury Decision 5176, which officer is authorized to make such determination. If an approval or determination made by such regional officer is subsequently modified or reversed by the Commissioner, such approval or determination shall be deemed to have been continuously in effect from its original date until the first day of the payroll period following reversal or modification, or until such later date as the Commissioner may provide in his ruling.

To illustrate, an employer obtains the approval of a regional officer of the Salary Stabilization Unit that a proposed increase in certain salaries is permissible. The approval is given on January 2, 1943, and the salary increase is to become effective January 15, 1943. On March 15, 1943, the Commissioner determines that the salary increase was not proper and reverses the approval given by the regional officer. The Commissioner provides in his ruling that the increase in salary shall be discontinued after March 31, 1943. For purposes of these regulations, no part of the salary for the period between January 15 and March 31 shall be considered to have been in contravention of the Act.

SUBPART B.—Jurisdiction of Commissioner

Sec. 1002.10. *Amount of Salary Payment.*—The General Regulations provide that the Commissioner shall have authority to determine, under regulations to be prescribed by the Commissioner with the approval of the Secretary of the Treasury, whether salary payments are made in contravention of the Act. The Commissioner's jurisdiction is confined to—

(1) salary payments in excess of $5,000 per annum, in the case of individuals employed in any capacity whatsoever; and

(2) salary payments of $5,000 or less per annum, in the case of individuals (i) who are employed in bona fide executive, administrative or professional capacities, and (ii) who, in their relations with their employer, are not represented by duly recognized or certified labor organizations, and (iii) whose services are not within the meaning of "agricultural labor" as defined in paragraph (1) of section 4001.1 of the General Regulations.

Other salary payments are subject either to the jurisdiction of the Board or the Secretary of Agriculture, as prescribed in the General Regulations. If, for example, a salary is to be increased from $4500 per annum to $5200 per annum (and subdivision (2) is inapplicable), approval of such increase, if required, must be obtained from the Board.

Sec. 1002.11. *Conclusiveness of Determination.*—(a) Any determination by the Commissioner that a salary payment is in contravention of the Act is conclusive in every respect upon all executive departments and agencies of the Federal Government for the following purposes—

(1) determining costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the

Emergency Price Control Act of 1942, or any maximum price regulation thereunder;

(2) calculating deductions under the revenue laws of the United States; or

(3) determining costs or expenses under any contract made by or on behalf of the United States.

(b) Any such determination of the Commissioner is final and not subject to review by The Tax Court of the United States or by any court in any civil proceedings. Nothing herein is intended, however, to deny the right of any employer or employee to contest in The Tax Court of the United States or in any court of competent jurisdiction the validity of—

(1) any provision of these regulations, on the ground such provision is not authorized by law, or

(2) any action taken or determination made under these regulations, on the ground that such action or determination is not authorized, or has not been taken or made in a manner required, by law.

(c) No increase in salary rate shall result in any substantial increase of the level of costs or furnish the basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

Sec. 1002.12. *Geographical Scope.*—The provisions of these regulations shall not apply to salaries in any Territory or possession of the United States, except Alaska and Hawaii.

SUBPART C.—Salary Increases

Sec. 1002.13. *Commissioner's approval required.*—Section 1 of the Act provides in effect that salaries, so far as practicable, shall be stabilized at the levels which existed on September 15, 1942. In the case of a salary rate of $5,000 or less per annum existing on October 27, 1942, or established thereafter in compliance with these regulations, and in the case of a salary rate of more than $5,000 per annum existing on October 3, 1942, or established thereafter in compliance with these regulations, no increase shall be made by the employer, except as provided in section 1002.14, without prior approval of such increase by the Commissioner. Any salary increase made before the required approval of the Commissioner is obtained is from the date of such increase in contravention of the Act. (See sections 1002.28 and 1002.29 for the consequences of a salary payment made in contravention of the Act.) The Commissioner may, however, approve an increase in salary rate to be effective as of the date of the application for approval.

The burden of justifying an increase in salary rate shall in every instance be upon the employer seeking to make such increase. Increases in salary rates will not be approved unless necessary to correct maladjustments or inequalities, or to aid in the effective prosecution of the war. A promise made by an employer to his employees prior to October 3, 1942 that salaries would be increased in the future is generally to be ignored in determining whether an increase after that date should be approved. The same rule is applicable with respect to a promise made by an employer prior to October 27, 1942, in the case of employees whose salary rates are $5,000 or less per annum. A salary increase, however, may be approved, as to salaries below $5,000 per annum, if to deny such increase would be to force the continuation of a salary which is below the general level existing for the same or comparable work in the local area on September 15, 1942.

An employer who has established a new job classification, or who has begun business, after October 3, 1942, must obtain approval of the Commissioner for the payment of salaries for such job classification or in such new business; provided, however, that if the salary rates in question are not in excess of those prevailing for similar job classifications within the local area, the approval of the Commissioner is not required. An increase in a salary rate for a job classification established after October 3, 1942, shall be subject to the limitations provided in this Subpart.

A mere change in the name, organization, or financial structure of an employer, whether such employer be an individual, partnership or corporation, will not in itself be sufficient for a finding that, for the purposes of these regulations, a new business has been begun or new job classification established after such change.

Any change in a salary rate, regardless of its effective date, which results from an award or decision of an arbitrator or referee made after October 3, 1942, in the case of salaries of more than $5,000 per annum, and after October 27, 1942, in the case of salaries of $5,000 or less per annum, is subject to the provisions of these regulations notwithstanding that the agreement or order for arbitration or reference was made on or before October 3, 1942 or October 27, 1942, as the case may be.

Unless otherwise expressly exempted, any change in a salary rate, provided for in any agreement existing as of October 3, 1942 in the case of salaries of more than $5,000 per annum, or as of October 27, 1942 in the case of salaries of $5,000 or less per annum, which is to take effect at some future date or on the happening of some future event, is subject to the provisions of these regulations regardless of when the agreement was made.

Payment for overtime will constitute an increase in salary rate, and thus will require the approval of the Commissioner, unless the customary practice of the employer has been to pay for overtime, and the rate has not been changed.

Except as may be otherwise provided from time to time by the Commissioner, an application for the approval of a salary increase shall be filed by the employer with the regional office of the Salary Stabilization Unit of the Bureau of Internal Revenue in whose territorial jurisdiction the main office or principal place of business of the employer is located. Such application shall be filed on forms prescribed by the Commissioner and shall contain such information as may be required by the Commissioner.

Sec. 1002.14. *Commissioner's approval not required.*—The Commissioner's approval is not required where an increase in salary rate is made in accordance with the terms of a salary agreement or salary rate schedule in effect on October 3, 1942, or approved thereafter by the Commissioner, and is a result of—

(1) individual promotions or reclassifications,

(2) individual merit increases within established salary rate ranges,

(3) operation of an established plan of salary increases based on length of service,

(4) increased productivity under incentive plans,

(5) operation of a trainee system, or

(6) such other reasons or circumstances as may be prescribed in rulings or regulations promulgated by the Commissioner from time to time.

For purposes of this section, the term "salary agreement" or "salary rate schedule" may include a salary policy in effect on October 3, 1942, even though not evidenced by written contracts or written rate schedules. For example, a salary policy may be determined from previous payroll records or other payroll data. The existence of such policy, however, must be established to the satisfaction of the Commissioner, and the burden of proof rests upon the employer. In such cases, the employer in advance of making an increased salary rate may reduce the salary policy to writing and secure approval thereof by the Commissioner.

A bonus or other form of additional compensation which does not exceed in amount the bonus or other additional compensation to such employee for the last bonus year ending before October 3, 1942 does not require approval by the Commissioner. In addition a bonus based upon a fixed percentage of salary where the percentage has not been changed, does not require approval by the Commissioner even though the amount may be increased due to an authorized increase in salary. Any other bonus or other form of additional compensation, requires approval by the Commissioner. Where the compensation, or part thereof, is paid on a commission basis and is based upon a fixed percentage (which has not been changed) of sales made by the employee, a payment does not require approval by the Commissioner even though the amount may represent an increase due to increased sales by the employee. See, however, Subpart F of these regulations.

The provisions of this section may be illustrated as follows:

(1) The X Corporation began business in 1940. As of July 1, 1942, pursuant to a corporate resolution duly passed in January 1942, all of its salaried employees received more than $5,000 per annum. No approval of the Commissioner is required to increase the salary of an employee who is promoted in November 1942 from a salesman to general manager and who receives a salary within the salary range paid previously to individuals occupying the position of general manager.

(2) The X Corporation in December 1942 wishes to establish a new salary rate schedule raising the level of compensation of all its salaried employees. Approval by the Commissioner of such schedule is required. Assuming that such approval has been obtained, further approval by the Commissioner of any adjustment under such schedule coming within this section is not required.

(3) The Y Corporation begins business on November 1, 1942. The salaries paid by it to its employees are commensurate with salaries paid by other employers in comparable businesses in the same local area. Payment of such salaries does not require the approval of the Commissioner. Any increase in salary rates, however, requires the approval of the Commissioner.

(4) The M Corporation, which has manufactured furniture since 1925, is reorganized in November 1942 and emerges from the reorganization proceedings as the N Corporation. There is no change in the nature of the business although there is a substantial alteration in the financial structure of the company. The N Corporation is not to be treated as a new employer beginning business after October 27, 1942. Consequently, any general increase in salaries over and above those paid by the M Corporation requires the prior approval of the Commissioner.

(5) Employees of the Z Corporation have customarily received a bonus of 5 percent of their annual salary at the end of each calendar year. If, for example, one of the employees received $6,000 in 1941 but received salary of $7,000 in 1942 due to a salary increase on July 1, 1942, a bonus of $350 may be paid to him for 1942 without prior approval of the Commissioner, notwithstanding that his bonus for 1941 was only $300.

SUBPART D—Salary Decreases

Sec. 1002.15. *Salaries under $5,000*—In the case of a salary rate existing as of the close of October 3, 1942, or established thereafter in compliance with these regulations, under which an employee is paid a salary of less than $5,000 per annum for any particular work, the general rule is that no decrease can be made by the employer in such salary rate below the highest salary rate paid for such work in the local area between January 1, 1942 and September 15, 1942. A decrease is permitted, however, with the approval of the Commissioner, in order to correct a gross inequity in any case or to aid in the effective prosecution of the war. Where such decrease is permitted the salary rate may be reduced below the highest salary rate paid for the work in question between January 1, 1942 and September 15, 1942. Except as otherwise provided in this section, any decrease in such salary rate after October 3, 1942 shall be considered in contravention of the Act if it is made prior to the approval thereof by the Commissioner.

Except as may be otherwise provided from time to time by the Commissioner, an application for approval of any salary decrease shall be filed in the same manner as in the case of an application for approval of a salary increase. See section 1002.13 of these regulations.

The Commissioner's approval is not required, for example, in the following cases where salary decreases are made after October 3, 1942:

(1) The new salary rate does not fall below the highest salary rate existing between January 1, 1942 and September 15, 1942 for the particular work in question or for the same or comparable work in the local area.

(2) An employee has been demoted to a lower position than that filled by him between January 1, 1942 and September 15, 1942 and the salary rate for such lower position is not less than the highest salary rate existing for that position during the same period.

(3) An employee has been relieved of substantial duties and responsibilities.

A disparity between salaries paid by a particular employer and those paid by employers generally in the local area does not necessarily constitute justification for decrease in salary rates paid by such employer.

Sec. 1002.16. *Salaries over $5,000*—In the case of a salary rate existing as of the close of October 3, 1942, or established thereafter in compliance with these regulations, under which an employee is paid a salary of more than $5,000 per annum, the employer is permitted to make, without approval by the Commissioner, a decrease to a rate not less than $5,000 per annum. If, however, by virtue of a decrease the new salary paid to the employee is less than $5,000 per annum, then the decrease below $5,000 per annum is subject to the limitations of section 1002.15 of these regulations. To the extent that prior approval by the Commissioner of a decrease is not required under section 1002.15 or this section, such decrease shall not be considered as being in contravention of the Act.

SUBPART E—Governmental Employees

Sec. 1002.17. *State and local employees*—An adjustment in salaries (not fixed by statute, see section 1002.32) may be made by a State, or any political subdivision thereof, the District of Columbia, or any agency or instrumentality of any of the foregoing, on certification to the Commissioner that such adjustment is necessary to correct maladjustments, or to correct inequalities or gross inequities. The certification procedure shall not apply to any adjustment which would not otherwise require the Commissioner's approval or which would raise salaries beyond the prevailing level of compensation for similar services in the area or community. A certificate by the official or agency authorizing the adjustment stating the nature and amount of such adjustment, and briefly setting forth the facts meeting the foregoing requirement, will be accepted by the Commissioner as sufficient evidence of the propriety of the adjustment, subject to review by the Commissioner. Modification by the Commissioner of adjustments made by a governmental official or agency acting pursuant hereto shall not be retroactive.

In exceptional cases where such an adjustment is sought, and in all cases where the agency seeks an adjustment other than by the certification procedure, application for approval shall be filed with the appropriate regional office of the Salary Stabilization Unit.

SUBPART F—Limitations on Certain Salaries

Sec. 1002.18. *Basic allowance*—In addition to setting forth limitations on increases and decreases in salary rates, the General Regulations provide a ceiling on the amount of salary which may be paid to any employee during a calendar year. The general rule is that no amount of salary may be paid or authorized to be paid to or accrued to the account of any employee or received by him during the calendar year 1943, and in each succeeding calendar year, which, after reduction by the Federal income taxes on the amount of such salary, computed as below without regard to other income and without regard to deductions or credits, would exceed $25,000. Additional allowances of salary which may be permitted in certain circumstances are described in sections 1002.19 to 1002.22, inclusive.

The amount of Federal income taxes referred to in the preceding paragraph shall be determined—

(1) by applying to the total amount of salary (but not including any amounts allowable under sections 1002.19 to 1002.22, inclusive, of these regulations) paid or accrued during the calendar year in question, undiminished by any deductions, the rates of taxes imposed by Chapter 1 of the Code (except section 466 thereof relating to withholding) as if such total amount of salary were the net income (after the allowance of

the appropriate credit), the surtax net income, and the Victory tax net income, respectively; and

(2) without further allowance of any other credits against any of such taxes.

Assume that the rates imposed under Chapter 1 of the Code, as amended by the Revenue Act of 1942, are applicable with respect to the calendar year 1943. Under the formula described in the preceding paragraph, the basic allowance of salary for 1943 (which after reduction by the Federal income taxes would yield $25,000) is $67,200. This latter amount is the maximum amount of salary which an employee would be permitted to receive for 1943, provided he is not entitled to further allowances under sections 1002.19 to 1002.22, inclusive. If the rates of Federal income tax applicable for 1943 should be increased above those now existing in the Code for 1942, the basic allowance of salary will be an amount greater than $67,200.

The basic allowance of salary as described in this section represents an amount against which the appropriate tax rates are applied and remains the same regardless of whether the employee is married or single or of the number of his dependents, if any. It is likewise unaffected by the nature or amount of his other income (taxable or exempt) or by the extent of his deductions allowable for tax purposes generally.

For purposes of this Subpart an amount of salary, in addition to the basic allowance of salary, will be permitted for any expenses paid or incurred by an employee which are ordinary and necessary for the performance of the services for which the employee is compensated. No such additional amount, however, shall be permitted for expenses which would not be deductible in computing individual Federal income taxes.

Sec. 1002.19. *Charitable contributions.*—An amount of salary, in addition to the basic allowance of salary described in section 1002.18, will be permitted in certain circumstances to allow an employee to maintain his customary contributions to charitable, educational or other organizations described in section 23(o) of the Code. Such additional amount of salary will be permitted if the employee establishes to the satisfaction of the Commissioner that after resorting to his other income from all sources he would suffer undue hardship in maintaining his customary contributions out of the basic allowance of salary described in the preceding section.

For purposes of this section and sections 1002.20, 1002.21, and 1002.22, "income from all sources" includes income which is exempt under the Federal income tax laws.

What constitutes "undue hardship" for purposes of this section and sections 1002.20, 1002.21, and 1002.22, is dependent upon all the circumstances in each case.

Contributions may be customary within the meaning of this section even though in the particular year in question the organizations to which the contributions are made are different from those to whom contributions were made in previous years.

Sec. 1002.20. *Insurance premiums.*—An amount of salary, in addition to the basic allowance under section 1002.18 may be permitted to an employee under this section to meet certain payments during the employee's taxable year for insurance premiums. To be entitled to such extra allowance of salary the employee must establish to the satisfaction of the Commissioner that after resorting to other income from all sources (see section 1002.19) he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet premium payments on policies of life insurance in force and effect on October 3, 1942 on his life.

The premium payments referred to in the preceding paragraph are those which are required to be met during the calendar year in question. No allowance for salary is permissible for payments of premiums which are due in future calendar years.

If any insurance has been permitted by an employee to lapse after October 3, 1942, no allowance for salary is permissible for payments of premiums on policies taken out after such date, even though the total annual premiums on the new policies are not in excess of the total annual premiums due on policies in effect on October 3, 1942. Renewal of policies in effect on October 3, 1942 (even though new premiums are higher) will not preclude applicability of this section to premium payments on the renewed policies. Generally, in the case of a conversion of a policy in effect on October 3, 1942 to a new policy requiring payment of higher premiums, this section is inapplicable to the annual amount by which the new premiums exceed the premiums in effect on October 3, 1942.

As used in this section, and sections 1002.21 and 1002.22, substantial financial loss is not necessarily confined to a loss suffered on disposition of assets at depressed prices substantially below cost to the employee. The present value in use or in production of income and the potential future value are factors to be considered. For the purpose of this Subpart, the provisions of the Code governing the determination of loss upon disposition of assets are not controlling.

Sec. 1002.21. *Fixed obligations.*—An amount of salary in addition to the basic allowance under section 1002.18 may be permitted to an employee under this section to make required payments during the employee's taxable year on fixed obligations. Before any amount will be allowed under this section, the employee must establish to the satisfaction of the Commissioner that after resorting to his income from all sources (see section 1002.19), he is unable, without the necessity of disposing of assets at a substantial financial loss resulting in undue hardship, to meet required payments of fixed obligations for which he was obligated on October 3, 1942. See section 1002.20.

The term "fixed obligations" as used in this section means any enforceable liability of the employee the amount of which liability was fixed and determined on October 3, 1942. In no event is an allowance for salary permissible under this section for the payment of any amount due in future years.

Sec. 1002.22. *Federal taxes.*—An amount of salary in addition to the basic allowance under section 1002.18 may be permitted to an employee, under this section, to meet payments during the employee's taxable year of certain Federal income taxes. To be entitled to such an additional allowance of salary the employee must establish to the satisfaction of the Commissioner that after resorting to his income from all sources (see section 1002.19), he is unable, without disposing of assets at a substantial financial loss resulting in undue hardship, to meet payments of certain Federal income taxes, more fully described below. See section 1002.20.

An allowance for additional salary is permissible in order to pay Federal income taxes owed by the employee himself for any prior taxable year, but is not permissible in order to pay any Federal income tax due on the basic allowance of salary under section 1002.18, except as this allowance is applicable for 1942. See section 1002.24. Thus, an amount for additional salary might be allowable in 1943 to meet the payment of the entire Federal income tax due on a salary received in 1942. In 1944 an amount for additional salary might be allowable to meet the payment of Federal income tax due on additional salary allowances permitted for 1943 under sections 1002.19, 1002.20, 1002.21 and this section for 1943; but no amount, however, would be allowable to meet the payment of the Federal income tax due on the basic allowance under section 1002.18 for 1943.

Sec. 1002.23. *Multiple employers.*—Salaries payable to an employee from more than one employer may, for purposes of Subpart F, be treated as if all such salaries were payable by a single employer, regardless of the financial or other relationship of the several employers. For example, individual A received a salary as an employee of the X Corporation and also as an employee of its subsidiary, the Y Corporation. Both the X Corporation and the Y Corporation are required to adjust their salary arrangements with such employee to conform with the provisions of these regulations. If individual B is employed by the M Corporation and the N Corporation, both of whom are owned, directly or indirectly, by the same person or persons, the M Corporation and the N Corporation must adjust their salary arrangements with B to conform with the provisions of these regulations. If individual C is employed by the R Corporation and the S Corporation and both corporations have knowledge of that fact, they must adjust their salary arrangements with C to conform with the provisions of these regulations.

Where an individual is employed by two or more employers who, under these regulations, are required to make salary arrangements in order to conform with the provisions of Subpart F, such individual and employers will be deemed to be acting in contravention of the Act and these regulations if proper salary arrangements are not made. In any event, no employee may receive any salary in excess of that allowed under Subpart F. See Section 1002.30.

Sec. 1002.24. *Limitation on 1942 salaries.*—Unless payment thereof is required under a bona fide contract in effect on October 3, 1942, no amount of salary shall be paid or authorized to be paid to or accrued to the account of any employee or received by him after October 27, 1942 and before January 1, 1943, if the total salary paid, authorized, accrued or received for the calendar year 1942 exceeds the amount of salary which would otherwise be allowable under section 1002.18 (but not under sections 1002.19 to 1002.22, inclusive) and also exceeds the total salary paid, authorized, accrued or received for the calendar year 1941. For purposes of this section, the term "bona fide contract" means a legally enforceable agreement, written or oral. Such an agreement may be evidenced by a bona fide resolution of a board of directors of a corporate employer passed on or before October 3, 1942. The amount allowable under section 1002.18 for 1942 (before reduction by any Federal income taxes) is $54,428.57.

Sec. 1002.25. *Community property.*—The limitations on salaries provided for in sections 1002.18 to 1002.24, inclusive, shall in nowise be affected by any community property law. For example, an employee resident in the State of R receives a salary in 1943 of $100,000. Under the laws of that State, $50,000 of that salary is deemed to be the property of the employee's wife. For purposes of these regulations, the employee's salary is $100,000, not $50,000.

Sec. 1002.26. *Taxable year.*—For purposes of Subparts F and G of these regulations, the term "taxable year" of an employee shall mean the calendar year during which the salary in question is paid or authorized to be paid to or accrued to the account of such employee or received by him. This rule is applicable regardless of whether the employer or employee, or both, file Federal income tax returns for a fiscal year or report income, for Federal income tax purposes, on an accrual basis or on the cash receipts and disbursements basis.

Sec. 1002.27. *Effective date.*—The provisions of this Subpart, except as provided in section 1002.24, shall be applicable to all salaries paid or accrued after December 31, 1942, irrespective of when payment or accrual of such salary was authorized and irrespective, also, of any contract or agreement made prior to or after such date.

SUBPART G.—EFFECT OF UNLAWFUL PAYMENTS

Sec. 1002.28. *Amounts disregarded.*—(a) Section 5(a) of the Act provides in effect that the President shall prescribe the extent to which any salary payment made in contravention of regulations promulgated under the Act shall be disregarded by executive departments and other governmental agencies in determining the costs or expenses of any employer for the purposes of any other law or regulation. In any case where a salary payment is determined by the Commissioner to have been made in contravention of the Act, the entire amount of such payment is to be disregarded by all executive departments and all other agencies of the Federal Government for the purposes of—

(1) determining costs or expenses of any employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof;

(2) calculating deductions under the revenue laws of the United States; or

(3) determining costs or expenses under any contract made by or on behalf of the United States.

A payment in contravention of the Act may be disregarded for more than one of the foregoing purposes.

(b) In the case of salaries decreased in contravention of the Act, the amount to be disregarded, as required by paragraph (a) of this section, is the amount of the salary actually paid or accrued by the employer at the reduced rate. Thus, if, for example, on November 1, 1942, a weekly salary rate of $100 has been unjustifiably reduced to $50 for the remainder of the calendar year 1942, the amount to be disregarded under paragraph (a) of this section is the total amount of salary paid at the weekly rate of $50.

(c) In the case of salaries increased in contravention of the Act, the amount to be disregarded, as required by paragraph (a) of this section, is the amount of the salary actually paid or accrued by the employer at the increased rate and not merely an amount representing an increase in such salary. Thus, if, for example, on November 1, 1942, a weekly salary rate of $100 is unjustifiably increased to $150 for the remainder of 1942, then the amount of salary to be disregarded for purposes of paragraph (a) of this section is the total amount paid at the weekly rate of $150. Also, if, for example, on February 1, 1943 a weekly salary rate of $100 is increased to $150 without prior required approval, but is restored to $100 on June 1, 1943, after formal disapproval by the Commissioner or regional officer, then the amount of salary to be disregarded for purposes of paragraph (a) of this section is the total amount at the weekly rate of $150. Neither in the cases described in this paragraph nor in the case described in paragraph (b) of this section are the total amounts paid at the weekly rate of $100 to be disregarded for purposes of paragraph (a) of this section. (See section 1002.31 relating to salary allowances under section 23 (a) of the Code.)

(d) In the case of a salary in excess of the amount allowable under Subpart F of these regulations which is paid to, authorized to be paid to, or accrued to the account of an employee during his taxable year (as distinguished from the taxable year of the employer) in contravention of the Act, the amount to be disregarded is the full amount of such salary and not merely the amount representing the excess over the amount allowable under such Subpart F of these regulations. Thus, if, for example, under such Subpart F an employee would be entitled to receive a total salary during his taxable year of $67,200 for services rendered in such year, but actually receives $100,000 for such services, then the entire amount of $100,000 is to be disregarded for purposes of paragraph (a) of this section.

Sec. 1002.29. *Criminal penalties*—Section 5 (a) of the Act provides in substance that no employer shall pay, and no employee shall receive, any salaries in contravention of the regulations promulgated by the President under the Act. Section 11 of the Act provides that any person, whether an employer or employee, who wilfully violates any provision of the Act or of any regulations promulgated thereunder, shall be subject, upon conviction, to a fine of not more than $1,000, or to imprisonment for not more than one year, or to both such fine and imprisonment.

Sec. 1002.30. *Salary allowances under Code.*—Under section 23 (a) of the Code reasonable allowances for salaries are allowed as deductions in computing net income. The tests which determine whether an allowance for salaries paid or accrued is reasonable within the meaning of section 23 (a) of the Code are in no wise suspended by any provision of these regulations. An employer may be exempt from the operation of these regulations yet be denied deductions for purposes of section 23 (a) of the Code with respect to the salaries paid or accrued by him. Also, a basic allowance under section 1002.18 and additional allowances under sections 1002.19 to 1002.22, inclusive, may nevertheless be disallowed in whole or in part as deductions under section 23 (a) of the Code.

SUBPART H—EXEMPTIONS

Sec. 1002.31. *Exempt employers.*—The provisions of these regulations, except those contained in Subparts F and G thereof, shall not apply in the case of an employer who employs eight or less individuals in a single business. An employer is subject to the provisions of these regulations if at the time a salary increase is to take effect he has in his employ more than eight individuals in a single business. It is not necessary that each employee be paid a salary provided all the individuals employed receive compensation for their personal services. If it is subsequently determined that the number of employees has been temporarily reduced by the employer, or that the employer has utilized any other improper device, for the sole purpose of claiming the exemption provided in the General Regulations and these regulations, then such exemption shall be deemed to have been improperly obtained and of no force or effect.

An employer may be exempt under this section notwithstanding that shortly after the effective date of a salary increase he enlarges his personnel in good faith to more than eight employees. Any further adjustment in salary will then be subject to the provisions of these regulations.

Sec. 1002.32. *Statutory salaries*—The provisions of these regulations are applicable in every respect to any salary paid by the United States, any State, Territory, or possession or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing, except where the amount of such salary is fixed by statute. The term "statute" for purposes of this section does not include a municipal ordinance or resolution enacted by a governmental unit inferior to a State, Territory, or possession. Salaries covered by the Federal Classification Act of 1923, as amended, are excluded from the operation of these regulations. Likewise, salaries, for example, of public school teachers which are paid under salary schedules fixed by a state legislature and providing for mandatory increments are excluded from the operation of these regulations. See section 1002.17.

Sec. 1002.33—*Services in foreign countries*—The provisions of these regulations shall not be applicable in the case of any individual employer, resident in the United States or any Territory or possession thereof, or of a corporate employer organized under the laws of the United States or any State, Territory or possession, with respect to salaries paid by such employers to employees for services rendered exclusively in foreign countries.

Sec. 1002.34. *Foreign employers.*—The provisions of these regulations shall not be applicable in the case of nonresident foreign employers except that if any salary is paid to an employee residing in the United States payment of such salary is subject to all the provisions of these regulations.

GUY T. HELVERING,
Commissioner of Internal Revenue.

APPROVED: December 2, 1942.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

(Filed with the Division of the Federal Register December 2, 1942, 11:40 a.m.)

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 7. They are subject to change.

Tuesday, December 8

WQAM—Miami Broadcasting Company, Miami, Fla.—Modification of C. P., **560 kc.,** 1 KW night, 5 KW day, unlimited.

WKBW—Buffalo Broadcasting Corporation, Buffalo, N. Y.—Renewal of license (main and auxiliary), **1520 kc.,** 50 KW, unlimited, DA-day and night.

WGR—Buffalo Broadcasting Corporation, Buffalo, N. Y.—Renewal of license (main and auxiliary), **550 kc.,** 1 KW night, 5 KW day, unlimited, DA-night.

Wednesday, December 9

WLW—The Crosley Corporation, Cincinnati, Ohio.—Modification of license, **700 kc.,** 50 KW night, 500 KW day, unlimited, using W8XO transmitter.

Consolidated Hearing

To be held before Commissioner George Henry Payne in Federal Court Room 245, Post Office Building, New Orleans, Louisiana.

WDSU—WDSU, Incorporated, New Orleans, La.—C. P., **1280 kc.,** 5 KW, DA-day and night, unlimited.

WDSU—WDSU, Incorporated, New Orleans, La.—Renewal of license, **1280 kc.,** 1 KW night, 1 KW day, unlimited.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Renewal of license, **1490 kc.,** 250 watts, unlimited.

WGRM—P. K. Ewing, Greenwood, Miss.—Renewal of license, **1240 kc.,** 250 watts, unlimited.

Friday, December 11

WFLA—The Tribune Company, Tampa, Fla.—C. P., **970 kc.,** 5 KW, unlimited, DA-night.

Further Consolidated Hearings

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—C. P., **1220 kc.,** 5 KW, unlimited, DA-day and night.

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—C. P., **1480 kc.,** 1 KW, unlimited, DA-night.

WADC—Allen T. Simmons, Tallmadge, Ohio.—C. P., **1220 kc.,** 50 KW, unlimited, DA-day and night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WNYC—City of New York Municipal Broadcasting System, New York City.—Granted application (Commissioners Case and Craven dissenting), for Special Service authorization to change hours of operation from limited to 6 a. m. to 10 p. m. with power of 1 KW, for the period of the license, using non-directional antenna between local sunrise and sunset and Minneapolis, and directional antenna prior to local sunrise and from local sunset at Minneapolis until 10 p. m. adjusted so as to radiate approximately 56 m/v in the direction of WCCO; the data setting forth the details of the antenna readjustments subject to approval of the Chief Engineer; also granted authority to replace portions of the phasing equipment (B1-SSA-52).

KHUB—John P. Scripps (Assignor), Luther E. Gibson (Assignee), Watsonville, Calif.—Granted consent to voluntary assignment of license (B5-AL-310) of Station KHUB from John P. Scripps to Luther E. Gibson, subject, however, to the express condition that this action is without prejudice to the application to the licensee of any report, policy, rule or regulation which may result from the proceedings under Order No. 79.

KOCY—M. C. McEldowney (Transferor), Plaza Court Broadcasting Co., John D. Thomas and C. E. Johnson (Transferees), Oklahoma City, Okla.—Granted consent to relinquishment of control of station KOCY from M. S. McEldowney to Plaza Court Broadcasting Co., John D. Thomas and C. E. Johnson, by transferee's purchase of 300 shares or 32.6 per cent of the issued and outstanding stock of licensee for a total consideration of $30,000 (B3-TC-311).

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Granted modification (B2-MP-1660) of construction permit (B2-

P-2637) for extension of completion date from Nov. 10, 1942, to May 10, 1943.

WOOD-WASH—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted application (B2-L-1729) of WOOD for license to cover construction permit to operate with 5 KW on **1300 kc.**; also granted authority to determine operating power (B2-Z-1471). Designated for hearing application for modification of license for WASH (B2-ML-1143), to authorize operation with the new equipment authorized for station WOOD, affirming Commissioner Craven's denial for temporary authority to WASH to operate WOOD's transmitter.

DESIGNATED FOR HEARING

Head of the Lakes Broadcasting Co., Superior, Wisc.—Designated for hearing application (B4-PH-74) for new high frequency (FM) broadcast station to operate on **44500 kc.** with coverage of 2,754 square miles; hours of operation: 6 day, 5 night.

DOCKET CASE ACTIONS

The FCC has announced its Proposed Findings of Fact and Conclusions (B-164) proposing to deny without prejudice the application of Herman Radner, Dearborn, Mich., for a construction permit to establish a new standard broadcast station to use 680 kilocycles, with 250 watts power, daytime only. This action was taken in view of the fact that the proposal involves the use of materials and personnel and is in conflict with the Memorandum Opinion of April 27, 1942. (Docket No. 6220.)

The Commission announced its Proposed Findings of Fact and Conclusions (B-163) proposing to deny without prejudice the applications of Northside Broadcasting Corp. (WGRC), New Albany, Ind., for construction permit to move transmitter locally, increase power from 250 watts to 1 kilowatt, install new transmitter, change frequency from 1400 to 790 kilocycles, and install directional antenna for daytime and nighttime use; and Kingsport Broadcasting Co., Inc. (WKPT), Kingsport, Tenn., for construction permit to change frequency from 1400 to 790 kilocycles, increase power from 250 watts to 1 kilowatt, install a new transmitter, and erect a directional antenna for nighttime use. This action was likewise taken in view of the fact that the proposals involve the use of materials and personnel and are in conflict with the Memorandum Opinion of April 27, 1942. (Docket Nos. 6052 and 6249, respectively.)

Like action was announced in the Commission's Proposed Findings of Fact and Conclusions (B-162) on the applications of The Associated Broadcasters, Inc. (KSFO), San Francisco, Calif., for construction permit to install new transmitting equipment, erect a directional antenna for day and nighttime operation, change the station's transmitter location, and change operating assignment from 560 kilocycles, 5 kilowatts day and 1 kilowatt night, to 740 kilocycles with power of 50 kilowatts; and Pacific Agricultural Foundation, Ltd. (KQW), San Jose, Calif., for construction permit to install new transmitting equipment, make changes in directional antenna, and to increase operating power on 740 kilocycles from 5 to 50 kilowatts, unlimited time. (KQW presently operates under authority of a temporary license on 740 kilocycles with power of 5 kilowatts, using a directional antenna.) The Commission also concluded that the continued operation of KQW on 740 kilocycles under authority of a temporary license shall not be deemed to affect the position of any party in connection with operation on 740 kilocycles when conditions permit the construction of other facilities for operation on said frequency.

The Commission announced issuance of a Supplemental Findings of Fact and Conclusions (B-144) in re the application of Butler Broadcasting Corp., for construction permit for new standard broadcast station at Hamilton, Ohio. The Commission states in its Supplemental Proposed Findings:

"The Commission having fully considered all of the evidence in the record, and finds unnecessary the adoption of findings and conclusions on issues other than those having to do with the policy set forth in the Commission's Opinion of April 27, 1942, and hereby "vacates its Proposed Findings and Conclusions adopted February 17, 1942, and hereby makes and enters on the basis for the Commission's decision herein the following Proposed Findings and Conclusions:

(a) The granting of the application would not be consistent with the policy promulgated by the Commission in its Opinion of April 27, 1942.

(b) Public interest, convenience or necessity would not be served through a grant of the application, which should therefore be denied."

The Commission adopted an Order making final its Proposed Findings of Fact and Conclusions (B-158) denying without prejudice the application of Louis G. Baltimore (WBRE), for a construction permit for a satellite station at Scranton, Pa., to operate with 100 watts power, simultaneously with Station WBRE.

The Commission announced its Decision and Order denying the application of The Crosley Corp. (W8XO), Cincinnati, Ohio, for construction permit to increase the maximum power of Developmental Broadcast Station W8XO to 750 kilowatts. The Commission further ordered that the outstanding license for the operation of Developmental Station W8XO be terminated, in accordance with the condition therein contained, effective January 1, 1943.

MISCELLANEOUS

WAAF—Downers Journal Publishing Co., Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1463).

KVIC—Radio Enterprises, Inc., Victoria, Texas.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1465).

KSEH—KSTP, Inc., St. Paul, Minn.—Granted license (B4-LRE-425) to cover construction permit (B4-PRE-419) for new relay broadcast station to be used with applicant's standard station KSTP; frequencies **156750, 158400, 159300, 161100 kc.**, 50 watts.

KVGB—Helen Townsley, Great Bend, Kans.—Granted license (B4-L-1714) to cover construction permit (B4-P-3509), for move of transmitter. Also granted authority to determine operating power by direct measurement of antenna power (B4-Z-1461).

WCOD—Twin City Broadcasting Co., Inc., Lewiston, Maine.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1468).

KEHT—The KANS Broadcasting Co., area of Wichita, Kans.—Granted renewal of relay broadcast station license for the period December 1, 1942, to December 1, 1943 (B4-RRE-377).

WERB—Pinellas Broadcasting Co., area of St. Petersburg, Fla.—Granted renewal of relay broadcast station license for the period December 1, 1942, to December 1, 1943 (B3-RRE-376).

WAFK—A. Frank Katzentine, area of Miami Beach, Fla.—Granted renewal of relay broadcast station license for the period ending October 1, 1944 (B3-RRY-242).

KBTB—Red River Broadcasting Co., Inc., Duluth, Minn.—Present relay broadcast station license further extended upon a temporary basis only, pending determination upon applications for renewal, in no event later than January 1, 1943 (B4-SRY-196).

KGBK—Helen Townsley, area of Great Bend, Kans.—Present relay broadcast station license further extended upon a temporary basis only, pending determination upon applications for renewal, in no event later than January 1, 1943 (B4-SRY-240).

WAEA—W. A. Patterson, area of Chattanooga, Tenn.—Present relay broadcast station license further extended upon a temporary basis only, pending determination upon applications for renewal, in no event later than January 1, 1943 (B3-SRY-132).

WDSU—WDSU, Inc., New Orleans, La.—Denied motion to continue hearing now set for *December 9,* in re applications of WDSU for construction permit to operate on **1280 kc.**, 5 KW, directional antenna day and night, unlimited time, and for renewal of license (Dockets 6331 and 6332); Natchez Broadcasting Co. (WMIS), Natchez, Miss., for renewal of license (Docket 6333); and P. K. Ewing (WGRM), Greenwood, Miss., for renewal of license (Docket 6334).

Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert G. Levy, Ross M. Sams and Davis Stribling, Waco, Texas.—Granted motion for extension of time within which to file proposed findings, now due November 18, in re application for construction permit for new broadcast station (Docket No. 6218).

WHKC—United Broadcasting Co., Columbus, Ohio.—Denied motion for continuance of hearing set for December 16 on application for construction permit to operate on **610 kc.,** 1 KW, directional antenna night, unlimited time (Docket 6408).

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted motion for continuance of deposition from November 25 to December 2 and hearing dates from December 4 to December 11, in re applications of WGAR for construction permit to operate on **1220 kc.,** 5 KW, unlimited, directional antenna day and night, The Ohio Broadcasting Co. (WHBC), Canton, Ohio, for construction permit to operate on **1480 kc.,** 1 KW, unlimited, directional antenna night, and Allen T. Simmons (WADC), Tallmadge, Ohio, for construction permit to operate on **1220 kc.,** 50 KW, unlimited, directional antenna day and night (Dockets 6309, 6310 and 6311 respectively).

J. C. Kaynor, Ellensburg, Wash.—Denied petition to defer action until Order 79 is decided, on application for construction permit for new station (Docket 5965).

WLW—The Crosley Corp., Cincinnati, Ohio.—Denied motion for leave to strike hearing issues 6, 7 and 8 in re application for modification of license to operate on **700 kc.,** 50 KW day, 500 KW night, unlimited time, using W8XO transmitter; on Commission's own motion granted leave to amend to application so as to specify operation with proposed daytime power only between local sunrise and local sunset; and ordered that hearing issues 6, 7 and 8 be stricken from hearing notice on application as so amended (Docket 6341).

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Granted modification (B3-MP-1668) of construction permit (B3-P-2966) for extension of completion date from 12-7-42 to 1-7-43.

WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Granted modification (B4-MP-1672) of construction permit (B4-P-3288) for extension of completion date to 6-7-43.

WRDO—WRDO, Inc, Augusta, Maine.—Granted motion to postpone hearing now set for November 25, until December 18, in re application for construction permit to operate on **1400 kc.,** 250 watts, unlimited time (Docket 6419).

WDSU—WDSU, Inc., New Orleans, La.—Denied motion to continue hearing now set for December 19, in re applications of WDSU for construction permit to operate on **1280 kc.,** 5 KW, directional antenna day and night, unlimited time, and for renewal of license (Dockets 6331 and 6332); Natchez Broadcasting Co. (WMIS), Natchez, Miss., for renewal of license (Docket 6333); and P. K. Ewing (WGRM), Greenwood, Miss., for renewal of license (Docket 6334).

WMIS—Natchez Broadcasting Co., Natchez, Miss., and WGRM—P. K. Ewing, Greenwood, Miss.—Granted motion to take depositions and for waiver of Section 1.221 of the Commission's Rules of Practice and Procedure, in re Dockets 6333 and 6334 above.

WMIS—Natchez Broadcasting Co., Natchez, Miss., and WDSU—WDSU, Inc., New Orleans, La.—On the Commission's own motion, supplemented the issues in Dockets 6333 and 6332.

KWG—McClatchy Broadcasting Co., Stockton, Calif., and KROY—Royal Miller, Sacramento, Calif.—Granted petition to dismiss without prejudice applications of KWG for construction permit to operate on **1230 kc.,** 250 watts, unlimited, and of KROY for construction permit to operate on **1240 kc.,** 250 watts, unlimited (Dockets 6427 and 6428 respectively).

Olympic Broadcasting Corp., Bremerton, Wash.—Granted petition to dismiss without prejudice application for construction permit for new station (Docket 6445).

WTNJ—WOAX, Inc., Trenton, N. J.—Granted petition to continue consolidated hearing set for December 2, until December 21, on application of WTNJ, City of Camden (WCAM), Camden, N. J., and Radio Industries Broadcast Co. (WCAP), Asbury Park, N. J., for renewal of licenses and modification of licenses (Dockets 5893 and 6161; 5361 and 6144; and 5778 and 6145, respectively).

WSAY—Brown Radio Service & Lab. (Gordon P. Brown, Owner), Rochester, N. Y.—Granted modification of construction permit which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter, for extension of completion date from November 23, 1942, to May 1, 1943 (B1-MP-1661).

WOOD—King Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted modification of construction permit as modified, which authorized increase in power, installation of directional antenna for night use, and move of transmitter and studio, and new transmitting equipment, for extension of completion date from November 23 to December 23, 1942 (B2-MP-1674).

WOC—The Tri-City Broadcasting Co., Davenport, Iowa.—Granted modification of construction permit as modified which authorized changes in frequency, increase in power, move transmitter, and installation of directional antenna for day and night use and new transmitter, for extension of completion date from November 19 to December 4, 1942 (B4-MP-1671).

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Granted license to cover construction permit as modified, which authorized increase in power, installation of directional antenna for day and night use, new transmitter, and move of transmitter (B5-L-1704). Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1434).

WWNY—The Brockway Co., Watertown, N. Y.—Granted license to cover construction permit as modified, for installation of directional antenna for night use, change frequency, increase power, change hours of operation, and move transmitter (B1-L-1723). Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1459).

WSBT—South Bend Tribune, South Bend, Ind.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1469).

KGCX—E. E. Krebsbach, Sidney, Mont.—Granted modification of license to change location of main studio to Main Street, Sidney, Mont. (B5-ML-1141).

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted license to cover construction permit as modified, which authorized increase in power, installation of new transmitter and directional antenna for day and night use, and move of transmitter (B1-L-1718). Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1452).

WBEZ—Board of Education, City of Chicago, Ill.—Granted modification of construction permit as modified, for new non-commercial educational broadcast station, for extension of completion date from December 7, 1942, to March 7, 1943 (B4-MPED-16).

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Granted petition for postponement of hearing now set for December 17 to January 18, 1943, in re application for construction permit (Docket 6441).

Lewis R. Gilmer, Joliet, Ill.—Granted petition to request late filing of appearance in re application for new station to communicate with ship telephone stations on Mississippi River and connecting inland waters (Docket 6451).

APPLICATIONS FILED AT FCC

600 Kilocycles

WSJS—Piedmont Publishing Co., Winston-Salem, N. Car.—License to use present licensed RCA 250-D transmitter as an auxiliary transmitter with power of 250 watts.

1130 Kilocycles

WCAR—Pontiac Broadcasting Co., Pontiac, Mich.—Special service authorization to operate from 7:00 a. m. to local sunrise during the months of December, 1942; January, February and March, 1943; with power of 250 watts.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Dela.—Modification of construction permit (B1-P-2758 as modified), which authorized increase in power, installation of new transmitter and directional antenna for day and night use for changes in daytime directional antenna pattern and extension of commencement and completion dates.

1240 Kilocycles

KROY—Royal Miller, Sacramento, Calif.—Voluntary assignment of license from Royal Miller to Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney and Will Thompson, Jr., doing business as Royal Miller Radio.

KICD—Iowa Great Lakes Broadcasting. Co., Spencer, Iowa.—Authority to determine operating power by direct measurement of antenna power.

1290 Kilocycles

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—License to cover construction permit (B5-P-3100 as modified), which authorized increase in power and installation of directional antenna for day and night use.

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Authority to determine operating power by direct measurement of antenna power.

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Modification of construction permit (B3-P-2944 as modified), which authorized installation of directional antenna for night use and increase in power for extension of completion date from 12-15-42 to 2-15-43.

FM APPLICATIONS

NEW—Everett L. Dillard, trading as K49KC, Commercial Radio Equipment Co., Kansas City, Mo.—License to cover construction permit (B4-PH-14 as modified), which authorized construction of new high frequency broadcast station, in part, in accordance with Commission action of 8-4-42.

MISCELLANEOUS APPLICATIONS

W6XDU—Don Lee Broadcasting System, Los Angeles, Calif.—Modification of construction permit (B5-PVB-83 as modified), which authorized addition of aural equipment using special emission for extension of completion date from 12-1-42 to 4-1-43.

NEW—The Crosley Corporation, Mason, Ohio.—Construction permit for a new international broadcast station to be operated on **6080, 9590, 11710, 15250, 17800** and **21650 kc.**, with power of 200 KW, A3 emission.

KBTB—Red River Broadcasting Co., Inc., Duluth, Minn.—License to cover construction permit (B4-PRY-289), which authorized move of transmitter of relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

United Delivery System, 639 New York Ave., N. W., Washington, D. C., and Esther Kressin, selling and distributing post cards, envelopes, and forms intended to be used by creditors and collection agencies in obtaining information concerning debtors, are charged in a complaint with unfair and deceptive acts and practices. (4873)

CEASE AND DESIST ORDERS

No cease and desist orders were issued last week by the Commission.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Flurene Chemicals, Ltd., Washington, D. C., entered into a stipulation to cease and desist from misrepresenting medicinal preparations designated "Flurene Nose and Throat Drops" and "Flurene Salve." (03075)

G. A. Labrador, Honolulu, T. H., stipulated that he will cease and desist from representing that the preparation he sells under the name "Curadalis" will relieve or cure all types of skin diseases and relieve tropical skin diseases which occur among sugar cane and pineapple workers, or that it has any therapeutic value in excess of relieving minor skin irritations. (03076)

Lion Uniform Co., Dayton, Ohio, stipulated to discontinue misrepresenting the fiber content of fabrics from which his Lion-Bilt uniforms are manufactured. (03077)

COMPLAINT DISMISSED BY FTC

The Federal Trade Commission has dismissed a complaint which charged a group of companies and individuals with engaging in a combination tending to restrain competition in the compressing and storing of cotton and in the interstate sale of jute or burlap bagging and steel bands used in compressing cotton.

The complaint named the following respondents:

Federal Compress & Warehouse Co., Memphis, Tenn., and its officers, R. L. Taylor, Binford Hester, E. F. Wade, and Winston E. Cheairs; Valley Credit Co., Blytheville, Ark.; Mississippi Valley Gin Co., Jackson, Miss.; Tensas Parish Gin Co., Newellton, La.; Madison Parish Gin Co., Inc., Tallulah, La.; Southern Credit Corp., Greenville, Miss.; Rainwater Credit Corp., and C. N. Rainwater, trading as C. N. Rainwater & Co., Little Rock, Ark.; J. E. Andre, Little Rock, Ark., and W. Dennis Brown and Fred Schneider, Lake Providence, La.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1626 K STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 49, December 11, 1942

Bond Expense Deductible

Under date of December 9, the Commissioner of Internal Revenue has ruled that, by broadcasting information as to the necessity for the buying of War Bonds, radio stations are carrying on one of the functions for which they were organized and that the expenses incurred in connection therewith are deductible as ordinary and necessary business expenses under Section 23(a) of the Internal Revenue Code.

The Treasury, according to unconfirmed rumors, has under consideration the question of allowing the money value of radio time donated to the Government for announcements and programs in support of the war effort as a gift or contribution under the amendment to Section 23 made in the Revenue Act of 1942. Contributions or gifts to the United States for exclusively public purposes are deductible to an amount which does not exceed 5% of the taxpayer's net income. The question on which the Treasury may rule is, does a gift of radio time constitute a "contribution or gift" within the meaning of that section.

We print below the letter from the Commissioner of Internal Revenue:

(Copy)

TREASURY DEPARTMENT

Washington

December 9, 1942.

Office of
Commissioner of Internal Revenue

IT:P:T:2
CP

Mr. Russell P. Place, Counsel,
National Association of Broadcasters,
Normandy Building,
1626 K Street, N. W.
Washington, D. C.

Sir:

Further reference is made to your letter of July 21, 1942, regarding the deductibility for Federal income tax purposes of expenses incurred by radio stations in promoting the sale of War Bonds. You enclosed two copies of the "National Association of Broadcasters—War Service Bulletin," which you state indicates, in a general way, the kind of expenses that will be incurred by radio stations in promoting the sale of War Bonds. Plans of handling the matter by radio stations are set forth therein as follows:

"Plan 1. A station becomes an issuing agent and gets a supply of bonds. Its own employees handle the over-the-counter as well as mail order sales. An all-out promotion job is launched; listeners are urged to come in and buy or send in their checks. The station is in the bond selling business.

"Plan 2. A station does not become an issuing agent but establishes a basis of all-out cooperation with some established issuing agency or agencies. Listeners are urged to go and buy or send in their mail orders direct to these agencies.

"Plan 3. A station becomes an issuing agent and gets its bond supply.

"Some volunteer organization, like Navy Relief, etc., takes on the job of handling the over-the-counter as well as the mail order sales. Again an all-out promotion campaign is launched to get buyers to come in or write in and buy.

"Plan 4. A station steps-up its present war bond sales and agrees to receive mail orders and see that they are transmitted to an issuing agent."

You also enclosed a newspaper clipping from the "Advertising Age" of June 25, 1942, concerning the deductibility for Federal income tax purposes, of expenses incurred by newspapers in promoting the sale of War Bonds, under section 23(a) of the Internal Revenue Code.

The test of whether expenditures are deductible from gross income is whether they are ordinary and necessary expenditures directly connected with or pertaining to the taxpayer's trade or business. As indicated by the newspaper clipping submitted, the Bureau has ruled that expenses incurred by newspapers in directing public attention to the vital necessity of the successful marketing of war bonds are deductible as ordinary and necessary business expenses. Such ruling is based upon the recognition that it is the business of newspapers, among other things, to disseminate news and bring to the attention of readers matters of public interest. Newspapers in thus promoting the sale of war bonds are considered to be engaged in carrying on one of the functions for which they are organized and the expenses incurred are identified as being directly connected with the business of operating a newspaper.

It appears that the business of a radio station includes, among other things, broadcasting of news, advertising of products and dissemination of other matters of interest to the public. By broadcasting information as to the necessity of buying war bonds, radio stations are carrying on one of the functions for which they are organized and the expenses incurred in connection therewith are deductible as ordinary and necessary business expenses on the basis of the reasoning applied in the case of newspapers.

As appears from the plans above set forth, it is contemplated that in addition to broadcasting information as to the necessity of buying war bonds, radio stations may either receive mail orders for bonds and see that they are transmitted to an issuing agent or sell bonds as issuing agents, either by mail or over-the-counter, using their own employees for these purposes. Expenses incurred by radio stations in carrying on such activities may properly be considered as expenses for institutional or good will advertising, which are also deductible from gross income under section 23(a) of the Internal Revenue Code if reasonable in amount. In this connection attention is

(Continued on page 698)

NAB Reports

NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

BOND EXPENSE DEDUCTIBLE

(Continued from page 697)

called to I.T. 3564, I.R.B., 1942-28,2, which reads as follows:

> "Advice is requested as to the deductibility for Federal income tax purposes of amounts expended by business concerns for advertising which promotes the sale of United States war bonds and stamps.
>
> "The test of whether expenditures for advertising are deductible is whether they are ordinary and necessary and bear a reasonable relation to the business activities in which the enterprise is engaged. This is not intended to exclude institutional advertising in reasonable amounts or good will advertising calculated to influence the buying habits of the public. If such expenditures are extravagant and out of proportion to the size of the company or to the amount of its advertising budget in the past, or if they are not directed to public patronage which might reasonably be expected in the future, such payments will be disallowed as deductions.
>
> "The above general tests are equally applicable in determining the deductibility of amounts expended for institutional or good will advertising which promotes the sale of war bonds and stamps."

Respectfully,

(S) Guy T. Helvering,
Commissioner.

War Manpower Commission

One agency is now charged with effective mobilization and utilization of the Nation's manpower to meet both military and home front needs. This vital war function is placed in the hands of the War Manpower Commission and its Chairman, Paul V. McNutt.

Home Front Needs—As may be required by prosecution of the war, the Commission Chairman is given authority to take "all lawful and appropriate" steps to assure that:

(a) all hiring, solicitation, and recruitment of workers in any plant, occupation or area be channeled through the U. S. Employment Service;

(b) no employer retain any worker whose services are more urgently needed in another plant, occupation, or area.

Express authority is given in this respect only over employers; but powerful levers for putting workers in essential jobs exist—authority to make USES the sole hiring agency, and control over selective service.

Military Needs—Selective Service System is transferred to the Manpower Commission. Local and appeal boards are made subject to the WMC Chairman's supervision and direction. General Hershey remains as Chief of the Bureau of Selective Service.

Voluntary enlistment of male persons between the ages of 18 and 38 in the enlisted personnel of the armed forces is forbidden.

Military training programs in educational institutions are to conform to policies and regulations of the Commission Chairman.

Induction of draft registrants 38 years and older is suspended. Provision is made for conditional release from the Army of enlisted men in the same age group.

Paul V. McNutt, chairman of the War Manpower Commission, made the following statement at a press conference Monday:

"I believe that the centralization of manpower control accomplished by the President's Order is a prerequisite to an adequate attack upon the tremendous task of allocating men to the Armed Forces and to War Industry.

"Although gratified with the grant of additional authority, I am at the same time thoroughly aware of the heavy responsibility which accompanies it and I am approaching it with an attitude of humility.

"The transfer of the Selective Service System and the restrictions on voluntary enlistments will make possible a unified plan for the orderly withdrawal of men from civilian life with the least possible disturbance of essential war production. Until further integration plans are perfected, I shall expect the Selective Service Director to administer the program as heretofore. Administrative changes must necessarily be made gradually and in a way which will not interrupt the effective discharge of duties by the Director and his operating staff.

"The authorization for the regulation of hiring is clearly a necessary control in areas of critical labor shortages. Although I am determined to exercise this authority, where necessary, to prevent labor hoarding and allocate essential workers to war plants, action will be taken only in those areas and with respect to those occupations where it is essential to meeting labor requirements. Until further clarification, it should be understood that presently approved methods of recruiting and hiring may continue.

"The provision for a uniform policy for the utilization of educational institutions will enable the Commission and the Armed Services to complete plans which will eliminate the confusion and misunderstanding on the part of these institutions as to the Government's desires in this respect.

"The provisions for the legal status of the Management-Labor Policy Committee is recognition of the work of that group and will, I believe, enable it to perform its functions in a still more effective way.

"In order to discharge the added responsibilities imposed upon the Commission, certain immediate administrative and organizational changes are necessary. A number of these have already been made.

"Now that the transfer of the United States Employment Service from the Social Security Board to the War Manpower Commission has been effected, Arthur J. Altmeyer, the Chairman of the Social Security Board, who has been serving as Executive Director of the War Manpower Commission, and John J. Corson, the Director of the Bureau of Employment Security of the Social Security Board, who has been serving as Chief of the Division of Industrial and Agricultural Employment of the War Manpower Commission, have indicated their desire to devote their full time and energy to their work in the field of social security. They point out that with the transfer of the United States Employment service the need no longer exists for their serving as both War Manpower Commission and Social Security Board officials, in order to integrate the activities of these two agencies. They also stress the importance of giving attention to strengthening our social security system as a war-time necessity as well as a post-war protection. I am in full accord as to the importance of social security and must, therefore, reluctantly concur in their decision.

"I am asking Mr. Altmeyer to serve as the representative of the Federal Security Agency in the War Manpower Commission. Within a short time, a successor to Mr. Altmeyer will be appointed. In the meantime, I have designated Mr. Arthur Flemming, a member of the War Manpower Commission, to undertake the duties of the office as Acting Executive Director. Mr. Flemming has worked closely with the staff of the Commission and with the Management-Labor Policy Committee and is thoroughly familiar with the manpower program. I am confident that he will press forward with that program, in an agressive and vigorous manner, until a permanent appointment is made.

"Within a few days a full announcement of the reorganization of the Washington and field staffs of the Commission will be announced."

DRAFT RELIEF

The change in Selective Service regulations announced last weekend which suspended induction of men thirty-eight years old and over will materially aid the broadcast industry. The proportion of men in the 38-45 age group in broadcast stations is undoubtedly smaller than is found in older industries, but the relief to broadcasters will be real none-the-less.

A special analysis of the NAB Manpower Survey Question Eight, relating to "essential men," indicates the extent of the relief. In the question, the stations were asked to furnish a list of their "key" personnel, within ages 20-45, for whom they have or would file Form 42A seeking deferment as "necessary men." Six hundred stations listed some 2,488 persons as "necessary" to the operation of their stations.

Dropping the age limit to 38 removes 510 essential men, 20.5% of those so classified, from the current Selective Service lists.

The Selective Service classifications of men listed as "essential" in question eight were analyzed to reflect the change. The table below compares the percent of the 2,488 men listed in each classification:

	Old	*New*
Class 1A or 1B	7.3%	6.7%
Class 2A or 2B	4.7%	4.1%
Class 3A or 3B (With dependent children)	54.5%	41.2%
Class 3A or 3B (Without dependent children)	25.6%	22.2%
Class 4	5.0%	4.7%
Not Classified	2.9%	.6%
Men 38-45		20.5%
Total	100.0%	100.0%

Class 1 men and Class 3 men without dependent children, we may assume, are subject to early call. Of essential men, 32.9% were so classified. The age change drops the percentage to 28.9%. In numbers, of the 2,488 "essential men," 819 were in Class 1 or Class 3 without dependent children, but now after dropping out those over 38 years old, there are but 721.

For further information on the NAB Manpower Survey, see NAB REPORTS, November 27, 1942, Page 671 and, November 20, 1942, Page 653.

The state tabulations were sent to NAB District Directors for transmittal to State Directors of the Selective Service System Saturday, December 5, 1942. All stations cooperating with submissions of the information were sent a copy of the tabulation for the state in which the station is located.

NAB TO MOVE

On December 21, the NAB will move to its new headquarters at 1760 N Street, N.W.

The phone number will be unchanged—NAtional 2080.

The building which has housed the NAB for the last four years has been taken over by the RFC.

The new offices are just a few doors east of Connecticut Avenue, two blocks north of the Mayflower Hotel.

District Meetings

DISTRICT 1

Paul W. Morency of WTIC was reelected director of the First District of NAB at the close of sessions on the first day of the two-day meeting in Boston, Mass. Mr. Morency will continue in office for two more years, beginning with the end of the 1943 NAB convention.

The meeting was called to order at 10 a. m. on Wednesday, December 9, by Director Morency with 92 broadcasters, government and industry representatives in attendance. It was the largest registration in the history of meetings of the First District.

Following a review of the purpose of the meeting by Director Morency, C. E. Arney, Jr., assistant to the President, outlined the war work of NAB in the absence of President Neville Miller, who was called back to Washington following the meeting of the Second District in New York City.

During the course of the first day, the following representatives of government agencies and departments outlined the problems of the war that affect broadcasting: Carl Haverlin, Headquarters Consultant, Radio Branch, Office of War Information; Eugene Carr, Office of Censorship; Capt. Jack Harris, Radio Branch, Public Relations Bureau, Army; Lt. Commander L. R. Collier, Chief, Radio Section, Navy Public Relations Office; Capt. Wm. H. Price, District Public Relations Office, Marine Corps; James Donovan, Regional Director, Office of Civilian Defense; and George E. Shrigley, Assistant Regional Representative, USES, who spoke also for the War Manpower Commission.

At the luncheon meeting on the opening day, Neal O'Hara, widely read Boston columnist, humorist and raconteur, entertained the delegates with hilarious off-the-record observations on the life of a professional humorist.

Immediately following luncheon on the first day, Walter C. Johnson of WTIC and Lewis H. Avery of NAB outlined the retail promotion committee plan, which was enthusiastically received.

On the second day, a morning meeting for the managers was conducted simultaneously with a meeting of the sales managers, over which Kingsley F. Horton of WEEI, district chairman, presided. The managers listened to a discussion of the AFM-Petrillo problems by President Miller, who hurried from Washington to Boston to participate in the second day of the conference. At the conclusion of the morning session, the broadcasters unanimously endorsed by formal resolution the OWI allocation plan, the retail promotion committee plan and the NAB Board of Directors stand on the AFM-Petrillo situation.

At the meeting of the sales managers, Miss Linnea Nelson, time buyer for the J. Walter Thompson Company, New York office, outlined what buyers want to know. She shared the morning meeting with Dr. Robert Elder of Lever Brothers Company, who is famed for his statistical studies of broadcasting.

Luncheon on the second day featured a talk by the well-known news analyst, Irving T. McDonald, who reported on "A World At War."

The afternoon session on the second day was devoted to a further exposition of the retail promotion committee plan and to a discussion of other sales problems. This meeting was also presided over by Mr. Horton.

Those in attendance included:

Adler, Ben, RCA Mfg. Co.; Arney, C. E., Jr., NAB; Avery, Lewis, H., NAB; Armstrong, O. N., Jr., WCOP;

Atwood, Jack, WDRC; Allen, T. F., WFCI; Barrere, Claude, NBC Radio Recording; Beiber, F. E., WTHT; Berkett, Samuel, ASCAP; Bettinson, Winslow, WHEB; Blink, Milt, Standard Radio; Bloomberg, Haskell, WLLH; Bowes, F. R., WBZ; Boyle, John J., WJAR; Brackett, Q. A., WSPR; Brown, Walter, Maj., Army; Brayshaw, A. R., Press Association; Bush, W. T., WPRO; Carpenter, David, WKNE; Chandler, Vincent H., WMUR, of Censorship; Clement, Earle, WLNH; Delaney, C. G., WTHT; Decastillo, L. G., WEEI; Donahue, Robt. F. WLLH; England, Monroe B., WBRK; Feldman, Robert, WMAS; Fellows, Harold E., WEEI; Flynn, Lawrence, WMEX; Georges, Bert, WHEB; Goodwin, Harry D., WBZ; Goulden, Stanley W., RCA; Greenwood, Warren, WHAI; Guernsey, Thompson L., WLBZ; Gunther, Martin, WHEB; Hacket, Walter, Office of War Information, Boston; Harris, Jack, Capt., Army; Haverlin, Carl, OWI-BMI; Hickox, Sheldon B., Jr., NBC; Hill, E. E., WTAG; Horton, K. F., WEEI; Horter, Don, WBZ; Hurwitz, H. Y., Staff Sergeant, Marine Corps; Jackson, W. E., Westinghouse; Johnson, Walter C., WTIC; Keller, Robert S., AMP; Kelly, George F., Jr., WCSH; Kelley, Robert; Kettell, Elmer, NBC; Koster, H. W., WPRO; Krueger, H. L., WTAG; Langlois, Cy, Lang-Worth; Lasker, George, WORL; Latham, W. H., WSPR; Malo, William, WDRC; Manning, Jack, Army; Matheson, John J., WHDH; Mayo, John, AMP; Meyer, Harold H., WSR; Meyers, Milton H., WEIM; Milner, R. Howard, WBZ; Montague, P. J., WHYN; Morency, Paul W., WTIC; Morrell, Harold B., WLAW; McCray, Thomas C., WTIC; Miss McDonald, Betty, Army; Nichols, H. W., WHAI, Miss Parmer, E., WTAG; Pote, William S., WMEX; Price, Wm. H., Capt., Marine Corps; Rines, William H., WCSH; Robison, Oshley L., WORL; Rogers, Irving E., WLAW; Rosenberg, Manuel, "The Advertiser"; Sanford, Robert, WORL; Schudt, Bill, CBS; Selvin, Ben, AMP; Sherwood, Alex, Standard Radio; Shrigley, George E., War Manpower Commission, Boston; Shurtleff, David F., WFEA; Slade, George W., WBZ; Smith, Leslie F., WMUR; Spates, James, WHAI; Stanton, Mildred P., WORC; Sutherland, George, WFCI; Swan, W. Gordon, WBZ; Teskey, Warren, WEIM; Thomas, Harold, WATR; Thomas, Levon, WNAB; Thornley, Howard W., WFCI; Ward, Stanley A., Capt., Marine Corps; Weis, Pierre, Lang-Worth; Wyant, Dal, WHEB; Young, C. S., WBZ.

DISTRICT 2

The best attended meeting ever held of the Second District of NAB was called to order at 10:00 a. m. on Monday, December 7, 1942, at the Biltmore Hotel in New York City by District Director Kolin Hager of WGY. More than 125 broadcasters, government and industry representatives registered during the two-day conference.

Following the introductory remarks of Director Hager, President Neville Miller outlined the war work of NAB, with special emphasis on the problems faced by the broadcasters in the furtherance of the war effort and the war.

During the two-day meeting, talks were delivered by the following representatives of government agencies and departments directly concerned with the war: William B. Lewis, Chief, and Carl Haverlin, Headquarters Consultant, Radio Branch, Office of War Information; Lt. Col. Edward M. Kirby, Chief, Radio Branch, Public Relations Bureau, Army; Lt. Commdr. Morgan S. A. Reichner, Public Relations Office, Navy; J. K. Barnes, Office of Civilian Defense; Eugene Carr, Office of Censorship; G. Lynn Sumner, New York State War Savings Staff; Miss Adrienne Ames, The Woman's Viewpoint on War Bond Sales; and Col. Harry Wilder of WSYR, Broadcasters Train Technicians for War.

At luncheon on the opening day, John Benson, President of the American Association of Advertising Agencies, spoke on the "Solidarity of the Advertising Industry." His plea for greater cooperative effort on the part of all advertising media was thought-stimulating to the broadcasters in attendance. He was followed by Col. Lemuel Q. Stoopnagle, who disposed of his subject in the first two sentences and then proceeded to a discussion of Jokes vs. Whimsy with ample illustrations of both.

The noted news analyst, H. V. Kaltenborn, described his talk at luncheon on the second day as "Looking at the War." In the course of his tensely listened-to analysis, Mr. Kaltenborn described the development of the war since Pearl Harbor and briefly appraised the position of the United States today. In a keenly analytical discourse, following Mr. Kaltenborn, Paul West, President of the Association of National Advertisers, talked about "Facing Realities." He outlined the problems which advertisers and advertising agencies face today and recounted the work of the Advertising Council, pointing out that 64 government campaigns are now in progress.

Most of the second morning was devoted to a discussion of the AFM-Petrillo problem, led by Sidney Kaye, Counsel, and Mr. Miller. At the conclusion of that study, Charles F. Phillips of WFBL, District Chairman of the Sales Managers, and Lewis H. Avery of NAB, presented the Retail Promotion Committee Plan.

The afternoon session on the second day was devoted to a further study of the Retail Promotion Plan and to other sales problems.

At the morning meeting on the second day, the broadcasters unanimously passed resolutions endorsing the OWI Allocation Plan, the Retail Promotion Plan, the stand of the NAB Board of Directors on the AFM-Petrillo situation, and petitioning the FCC to relax regulations dealing with restricted operators.

The unusually large attendance list included:

Adams, John T., WINS; Akerberg, Herb, CBS; Allen, George, WABC; Ambrose, Warren F., Blue Network; Arney, C. E., Jr., NAB; Avery, Lewis H., NAB.

Bagley, Carol, WNEW; Barrere, Claude, NBC; Barry, Charles, WJZ, Beckwith, Arthur, AMP; Bendiner, Lawrence, 2nd Region, OCD; Bess, Herman, WNEW; Blink, Milton, Standard Radio.

Callahan, Leonard D., SESAC; Carman, H., WGBB; Carr, Eugene, Office of Censorship; Carter, Woodberry, WTRY; Chilton, Ruth, SSYR; Codel, Edward, Atlantic Coast Network; Codel, Martin, Broadcasting Magazine; Collins, J. M., ASCAP; Cook, Nathan W., WIBX.

Danzig, Jerry A., Public Relations Off., USNR; Doerr, William, Jr., WEBR; Driscoll, Richard, WBTA; Duncan, Walter, WNEW.

Egner, C. Lloyd, NBC; Erdman, F. C., ASCAP; Estes, B., WINS.

Fay, William, WHAM; Finney, C. M., Associated Music Publ.

Gantter, Raymond C., WFBL; Glick, Clifford H., WNEW; Gregory, S. D., WEAF; Gude, J. G., CBS.

Hager, Kolin, WGY; Hardke, Ruth, WSYR; Haverlin, Carl, B.M.I.; Hawkins, L. B., WNBF; Hayes, Arthur Hull, WABC; Hickox, S. B., Jr., NBC.

Jaspert, George H., WPAT; Judas, Bernice, WNEW.

Keller, Robert S., AMP; Kemble, Dorothy A., Blue Network; Kirby, Lt. Col. Edward M., PRO, War Dept.

Lambert, Bert, WNEW; Lang, Joseph, WHOM; Lee, Jack, WHAM; Levin, Harry C., O.W.I.; Lewis, Charles, 2nd Region, OCD; Long, Maury, Broadcasting Magazine; Lounsberry, I. R., WGR; Lyford, E. B., NBC.

MacDonald, Alex, WGY; Marshall, T. S., WOLF; Mason, Jay, WJTN; Mayo, John, AMP; McCloskey, E. Ray, WNBF; McNeil, John, WJZ; Middleton, B. M., WABC; Miller, Henry L., WPAT; Miller, Neville, NAB; Miller, William Burke, NBC; Moss, Kermit J., WNEW; Murphy, John T., NBC.

Novik, M. S., WNYC.

Olin, Bruff W., Jr., WKIP; Overall, John R. (Lt.), Radio Section, 3rd Naval Dist.

Paley, William, CBS; Parreca, Connie, WOV; Pettey, Herbert L., O.W.I.; Phillips, Charles F., WFBL.

Ream, J. H., CBS; Reichner. M. S. A., Lieut. Commdr., NSNR; Riple, William, WTRY; Ripley, Fred R., WSYR; Robertson, Bruce, Broadcasting Magazine; Rosenhaus, I. R., WAAT; Rowan, B. J., G. E. Co.

Schmitt, Frank M., RCA; Schudt, Bill, Jr., CBS; Seitz, Frank A., WFAS; Selvin, Ben, Associated Music Publ.; Shapiro, M. H., Radio Daily; Stewart, Elliott, WIBX; Stoopnagle, Col.

Taylor, Dale; Tompson, C. Robert, WBEN; Treacy, Jack, NBC; Trenchard, Roland, WAAT; Tompkins, M. E., B.M.I.; Turner, Oscar C., NBC; Twamley, Edgar H.

Vance, H. C., RCA-M.

Walker, Ernest; Weil, Ralph N., WOV; Weis, Pierre, Lang Worth; While, Frank K., CBS; White, Norman H., Jr., Public Relations, USMC; Wilcox, WHOM; Wilkins, D. C., WJTN; Wiig, G. O., WHEC; Wiess, Sylvia, Radio Dailey.

Adler, Ben, R.C.A.; Barnum, Jerome B., Syracuse, N. Y.; Boice, H. K., WQXR; Dale, Albert E., N.B.C.; Goulden, Stanley W., R.C.A.; Greenberg, Herman, ASCAP; Hedges, William S., N.B.C.; Lane, William T., WAGE; McKay, John, N.B.C.; Mermey, Maurice, NAB-Public Relations; Paine, John J., ASCAP; Parsons, Willis, N.B.C.; Sherwood, Alex, Standard Radio; Stanton, Frank, C.B.S.; Wood, Helen, WIBX.

Alcorn, W. C., WNBX; Black, Elizabeth, Joseph Katz Co.; Brayshaw, A. R., Press Association; Buechner, Robert, Free & Peters; Dennie, Ralph, Blue Network; Doty, Chick, Blue Network; Dundes, Jules, WABC; Eastman, Bob, Blue Network; Elbrock, Rae B., Franklin Bruck Adv. Co.; Ensell, E. Schuyler, WABC; Feltis, Hugh, Blue Network; Franco, Carlos, Young & Rubicam; Frank, Paul, Wood & Co.; Grabhorn, Murray, Blue Network; Harrison, Jerome B., WABC; Hymes, John, Lord & Thomas; Karnes, Paul H., Press Association; Kelly, James M., Radio Advertising; Kent, Alan, WJZ; Long, Maury, Broadcasting Magazine; Lyden, John M., Ted Bates Co.; Lynch, Thomas H., William Esty & Co.; Mafiecci, Lucille, J. Walter Thompson Co.; Michelson, Charles, Michelson Radio Transcriptions; Moss, Albert, Jr., Radio Advertising; Shurack, Ed, WHN; Stone, Peggy, Spot Sales; Swars, Larry, Walter P. Burns Co.; Swift, G. Richard, WABC; Thomas, Helen, Spot Broadcasting; Tolcher, Arthur, WHN; Trenner, Harry, MBS; Wallace, Donald J., McCann-Erickson; Wright, Anne, J. Walter Thompson; Young, Chet, Press Association; Young, Stanley, The Foreman Co.

DISTRICT 7

Nathan Lord of WAVE was elected to a two-year term as Director of the Seventh District of NAB at the two-day meeting in Columbus, Ohio, on December 4 and 5, 1942. Mr. Lord's term begins with the end of the 1943 NAB Convention.

The two-day conference was called to order at 10 a. m. on Friday by J. Harold Ryan of WSPD, District Director, and attended by 91 broadcasters, government and industry representatives. At the conclusion of the sessions later Saturday afternoon, it was the concensus of those present that the two-day meeting was the best ever held in the Seventh District. As one prominent broadcaster put it: "There was more useful information available to those who attended, and there was more spirited discussion among the conferees, than I have ever seen before."

Two luncheons were held on the opening day. Fifty-one members and representatives of the Ohio Association of Broadcasters met at a luncheon presided over by President Ryan of the OAB. The balance of the broadcasters, government and industry representatives attended a general luncheon presided over by President Neville Miller of the NAB.

At both luncheon meetings, Governor John W. Bricker of Ohio spoke briefly, thanking the broadcasters for the fact that, under the free American system of broadcasting, full and fair discussion of the political issues of the times are available in every nook and corner of the country. He especially stressed the impartial handling of the recent political campaign in Ohio.

During the luncheon of the OAB, the following officers were elected for the ensuing year: President, Carl Everson of WHKC; Vice-President, Robert T. Mason of WMRN; Secretary-Treasurer, Laben Smith, WCOL.

Those in attendance were the guests of the Fort Industry Company at a luncheon on the second day. Following the luncheon, Lewis H. Avery of the NAB Department of Broadcast Advertising, spoke briefly on "Good Taste in Radio Advertising."

During the two-day conference, the following representatives of war agencies and departments spoke: Carl Haverlin, Headquarters Consultant, Radio Branch, Office of War Information; Eugene Carr, Office of Censorship; Lt. Holman Faust, Radio Officer, Navy, Great Lakes, Ill.; Ben H. Darrow, Director of Radio, Fifth Region, Office of Civilian Defense; and Major R. P. Forster, British Army Staff.

Following the sales meeting on the second morning, which was presided over by W. I. Orr of WBNS, District Chairman of the Sales Managers, Mr. Miller presented the AFM-Petrillo problem, with supporting talks by Milton Blink of Standard Radio, and Cy Langlois of Lang-Worth.

At the afternoon meeting on the second day, Mr. Miller outlined the manpower problem and explored the many difficulties which radio stations currently face under the Selective Service Act and other regulations and restrictions of government.

Resolutions, unanimously endorsing the OWI Allocation Plan, the action of the NAB Board of Directors in the AFM-Petrillo situation and the Retail Promotion Plan, were passed on the second day.

Those registered:

Avery, Lewis H., NAB; Barton, Howard, WTAM; Baylor, David M., WGAR; Beavers, Wallace, WCOL; Blink, Milton; Callaway, Harry, WHAS; Camp, Harry, WGAR; Carpenter, H. K., WHK-WCLE; Carr, Eugene; Cohen, I. T.; Cox, J. F., WAVE; Darrow, Bern H.; Davis, Warren G., WCMI; Devaney, Lt. J. P., U.S.N.R.; Dodge, Fred, WKRC; Elvin, Ralph, WLOK; Everson, Carl, WHKC; Fast, H. E., WKRC; Faust, Lt. Holman; Feldman, Samuel E.; Fields, O. E., WMAN; Flanigan, Ed, WSPD; Forster, Major R. P.; Fox, Katherine, WLW-WSAI; Garfield, Lt. J. B., U.S.N.R.; George Carl E., WGAR; Haid, Allen, WHIZ; Harkathorn, K. K., WHK-WCLE; Haverlin, Carl; Heibeck, Frank, WDOK; Higgy, R. C., WOSU; Hinkle, Felix, WHBC; Hoessly, H. H., WHKC; Hover, Fred, WFIN; Hunter, C. M., WHK-WCLE; Karnes, Paul H., AP-PA; Keller, Robert S., A.M.P.; Kennett, Robert L., WHAS; Kent, Carl H., Jr., WAKR; Kerns, J. Robert, WHIZ; Lane, C. Howard, C.B.S.; Langlois, "Cy", Lang-Worth; Laux, John, WSTV; LeGate, J. M., WHIO; Levinson, H. Y., WCAR; March, L. T., WMRN; Martin, Reggie, WIZE; Mason, Robert T., WMRN; McKelvey, G. C., WSTV; Metzger, Hal, WTAM; Miller, Neville, NAB; Morrison, Robert, WMRN; Moses, John B., WHKC; Nasman, Len, WFMJ; Orr, W. I., WBNS; Outler, John M., Jr., WSB; Palmer, Fred A., WCKY; Patt, John F., WGAR; Patterson, George, WAVE; Pettegrew, C. W., WOSU; Pixley, L. A., Fort Industry Stations; Pribble, V. H., WTOM; Patt, Ralph, WPAY; Price, Jack, WBNS; Richmond, R. W., WRRN; Ryan, J. Harold, WSPD; Sherwood, E. A.; Sherwood, Alex; Smith, L. T., WCOL; Smith, Neal A., WCOL; Spencer, Lester, WHIO; Squire, Burt; Storer, Geo. B.; Thompson, W. M.; Trace, Gene, WKBN; Treacy, Jack, N.B.C.; Tyler, A. E., WCMI; Uebel, Katharine; Williamson, W. P., Jr., WKBN; Weis, Pierre, Lang-Worth; Woolley, Easton C., N.B.C.; Wilson, Bob, WADC; Williams, Tod, WSPD; Woodyard, Ronald B., WING; Beebout, George L., WFMJ; Callahan, Walter A., WSAI; Cummings, Donald S., WBNS; Davis, Walter L., WRRN; Doty, Jack, WCOL; Jones, Frank N., WCOL; Martin, Paul, WCOL; Woody, R. H., WHIO.

DISTRICT 8

The following were registered at the District 8 meeting:

J. J. Flanigan, WIBC; Ben H. Darrow, Civilian Defense, Cleveland; Miss Helen Kennedy, Radio Director, Kroger Grocery & Baking Co., Cincinnati; Rex Schepp, WIRE; C. E. Schindler, WGRC; David Wilburn, WGRC; Lt. John T. Barnett, USNR, Public Relations, Indianapolis; Lt. Holman Faust, 9th Naval District Radio Officer, Indianapolis; Gene Faughn, WFBM; C. Bruce McConnell, WISH; R. E. Bausman, WISH; I. T. Cohen, ASCAP;

Samuel E. Feldman, ASCAP; Eldon Campbell, WOWO; Steve Conley, WOWO; H. G. Wall, WIBC; Miss Blanche Young, Director of Radio, Indianapolis Public Schools; Burt Squire, SESAC; Howard Loeb, WFDF; Paul H. Karnes, Press Association; John E. Fetzer, WKZO; Eugene Carr, Office of Censorship; "Cy" Langlois, Lang-Worth; Pierre Weis, Lang-Worth; Porter Smith, WGRC; Harmon L. Stevens, WHLS; H. M. Bitner, WFBM; William F. Kiley, WFBM; Robert S. Keller, AMP; Louis P. Hutchinson, OWI; Robert LaBlonde, OWI; C. Howard Lane, CBS; Grant F. Ashbacker, WKBZ; W. C. Wester, WKBZ; Owen F. Uridge, WJR; Leo Fitzpatrick, WJR; M. H. Latour, Air Raid Warning System, Chicago; Lt. Fred A. Chastain, Air Raid Precaution Officer, Chicago; 3rd Officer Ruth W. Morton, WAAC, Fort Des Moines; Milton Blink, Standard Radio; Charles Lee Harris, WGRC; Frank O. Sharp, WFBM; Vincent McMahon, Press Association; O. J. Kelchner, WIBC; Easton C. Wooley, NBC; Neville Miller, NAB; John W. O'Harrow, WKZO; Dan Jayne, WELL; Eugene C. Pulliam, WIRE; George M. Jackson, WBOW; Jack Tracy, NBC-Thesaurus; Lewis H. Avery, NAB; Carl Haverlin, BMI-OWI; Colonel Robinson Hitchcock, State Director, Selective Service, Indianapolis.

PAMPHLET REVISED

"The Wage and Hour Act: How It Affects a Broadcasting Station," popular publication of the NAB Labor Relations Department, has been thoroughly revised in a third edition and will soon be mailed to all members.

The revised edition includes a supplementary section on salary stabilization.

BONUSES

The WLB and the Treasury have differing regulations on bonuses.

The WLB regulations concern only those employees who make $5,000 a year or less, with the exception of unorganized executive, administrative and professional employees.

The Treasury regulations concern only those employees who make more than $5,000 a year *and* unorganized executive, administrative and professional employees.

The WLB says that any bonuses of the same size or smaller as previously established, or based on *any* formula previously established need no approval to be paid.

The Treasury says that any bonuses of the same size or smaller as previously established, or *based on a percentage of the employee's salary previously established* need no approval to be paid.

VICTORY TAX

A question has been raised under the new Victory Tax as to whether the 5 percent tax should be withheld from amounts paid occasional talent in cases where the employer station has no means of knowing whether their total earnings for the year will amount to the specific exemption of $624.

The NAB understands that the Bureau of Internal Revenue will seek to apply the same rules as to the employer-employee relationship in such cases as are applied in the case of Social Security payments. Such talent are treated as employees for Social Security purposes. In the opinion of NAB tax counsel, their compensation does not fall under the heading of professional fees and therefore their compensation is subject to withholding.

While there is a specific exemption of $624 for Victory Tax purposes, the obligation to withhold is not based on ability to predict whether a total compensation in excess of $624 will be paid the employee in the taxable year. An individual might work for several employers during a year, for example, and receive less than $624 from each. Nevertheless, withholding is necessary if compensation for the pay period is at a rate in excess of $624 per year. If the employee is paid on a weekly basis, the statute requires withholding on his compensation for the week in excess of $12 (Section 466(b)(1) of the Internal Revenue Code). In the case of biweekly pay, the exempt amount is $24; semi-monthly, $26; monthly, $52; quarterly, $156; semi-annually, $312; annually, $624.

ENLISTMENT STATUS NOT CLEAR

As of December 10, the exact status of enlistments in the military forces is not sufficiently clear in detail for the issuance of a statement.

This week's mailing of recruiting announcements is being limited to a single folio which is devoted to the enlistment of WAACS.

MORE RADIO CLASSES IN CONN.

Franklin M. Doolittle, president, WDRC, Hartford, and industry representative, ESMWT-NAB Radio Technician Training program in Connecticut, has arranged for new courses in several cities.

NEW HAVEN AND WATERBURY. Classes were started during October, with completion set for early spring, 1943.

BRIDGEPORT AND STAMFORD. Fall classes started about November. Completion in spring.

HARTFORD. Present students in Radio I and II complete their work next week. New courses begin shortly after January 1, 1943. Estimated number of students for the first quarter classes of the new year are: Sixty (60) in Fundamentals of Radio I and thirty (30) in Radio II.

Dean J. H. Lampe, of the University of Connecticut, course coordinator, works closely with Mr. Doolittle.

These courses are financed with federal funds. They have proven their worth; and many graduates are employed at broadcast stations.

Similar courses may be established in every state. The initial step is to point out industry needs for these men to the ESMWT Institutional Representative of an engineering school or to the Dean of Engineering at such school. Proposals are then sent to the U. S. Office of Education, Washington, for approval.

RADIO AT STATE TEACHERS COLLEGE

Professor J. W. White, Director of the Department of Physics, State Teachers College, Platteville, Wisconsin, is teaching ESMWT-NAB "Fundamentals of Radio."

Recently NAB sent Professor White additional copies of the course outline.

CAPT. McCAHILL AT SAN DIEGO

Captain William P. McCahill, USMC, has been confirmed in his assignment as Public Relations Officer, San Diego, Cal.

Captain McCahill was formerly stationed in Washington, at Marine Corps headquarters, serving under Brigadier General Robert L. Denig. For a good many months Captain "Bill' was contact with NAB headquarters.

AMATEURS HELP BROADCASTERS

Cooperating with NAB, American Radio Relay League has appealed to its members, through its magazine, "QST," to submit lists of transmitter tubes for sale to broadcast stations.

The Swap Bulletin, dated Dec. 11, 1942, includes the first offering of such tubes from amateurs. Additional tubes will be listed as they come in. Other pages of items in the Swap Bulletin list the "Will Buys" and "Will Sells" from stations.

STATIONS AID IN SERVICE PROBLEM

Stations listed below are among those which have reported cooperation in the campaign to educate the public to bring their radio sets to servicemen for repairs. This permits servicemen to spend all of their time working; saves time they used to spend going after sets.

When the tubes and parts inventory in the hands of radio repairmen increases, we can get more aggressive. Tactics to follow through this period are those of conservation. We can attack when the parts and tubes ammunition is sufficient for needs. And this problem, as reported previously, has the attention of WPB.

Stations are urged to rotate repairmen spots on the basis of one a day. No more are required now.

KWIL, Albany, Ore.; WITH, Baltimore; KBKR, Baker; KWON, Bartlesville; KIDO, Boise; WHDF, Calumet-Houghton; KSUB, Cedar City; WSOC, Charlotte; WCHV, Charlottesville; WCPO, Cincinnati; WTAW, College Station, Texas; WCOS, Columbia; WRBL, Columbus, Ga.; WCOL, Columbus, Ohio; WHKC, Columbus, Ohio; WTBO, Cumberland; WBLJ, Dalton; WDAD, Danville, Ill.; KWLC, Decorah; WPOE, Denver; WDTH, Dubuque; WTMV, East St. Louis, Ill.; WTSM, El Paso; KORE, Eugene; KFPW, Fort Smith; KFRE, Fresno; KMJ, Fresno; KLUF, Galveston; KIUL, Garden City; KFXJ, Grand Junction; WHLN, Harlan; WJOC, Johnstown; KCKN, Kansas City, Kans.; KDCA, Kilgore; WKMO, Kokomo; WKBH, LaCrosse; KARK, Little Rock; KFOX, Long Beach; WAVE, Louisville; WKAT, Miami Beach; WCOV, Montgomery; KBIX, Muskogee; WDSU, New Orleans; WEVD, New York City; KGNF, North Platte; KOCY, Oklahoma City; WWPG, Palm Beach-Lake Worth; WDLP, Panama City; KWKW, Pasadena;WMBD, Peoria; KSEI, Pocatello; KEX, Portland, Ore.; WHED, Portsmouth; KOBH, Rapid City; WEEU, Reading; WRNL, Richmond, Va.; KONO, San Antonio; KFXM, San Bernardino; KGO, San Francisco; KSRO, Santa Rosa; KWYO, Sheridan; KWKH, Shreveport; KTBS, Shreveport; KFPY, Spokane; WIZE, Springfield, Ohio; KTUL, Tulsa; KVAN, Vancouver; WHLB, Virginia; WBRY, Waterbury; KXEL, Waterloo; WWNY, Watertown; WAYX, Waycross; WWVA, Wheeling; WNAX, Yankton.

A THOUGHT FOR THE WEEK

WINNIPEG, Dec. 9 (U.P.)—Fascism in Canada "is here to stay" unless the Canadian Government's monopoly over radio is broken, Arthur Meighen, retiring leader of the Conservative party, told its convention here today.

Mr. Meighen's attack against the government-controlled Canadian Broadcasting Corporation was based upon the corporation's refusal to broadcast convention speeches. He said that C. B. C. uses its network to broadcast its own propaganda, and added, "parliamentary government in this Dominion is but a memory."

At the opening of the convention, Conservative House Leader R. B. Hanson assailed Prime Minister W. L. Mackenzie King.

FEDERAL COMMUNICATIONS COMMISSION

FLY DISCUSSES TAXES

It has been reported (but not confirmed) that the Bureau of Internal Revenue is drawing up an amendment to the tax law whereby radio stations may deduct as business expenses the time which they devote to war bond sales and various Government announcements. FCC Chairman James Lawrence Fly, at his press conference on Monday, was asked his opinion of this and he said he thought it would be a break for the stations.

"I don't want to be taken as advocating any position on the revenue measures. That's a matter for the Bureau and Treasury rather than for me," he said.

Chairman Fly reiterated what he had said at a previous press conference that he considered the small station problem a serious matter.

"I don't say whether we are going to keep these stations on the air, but as to how. I am thinking in particular of the smaller stations and particularly the stations in the small cities where they are dependent upon local radio business which is drying up to a great extent and where they fail to get the institutional advertising that is still predominant in network and large city broadcasting business.

"It just happens that many of those stations are the most essential stations because they are the only means that the Government has of reaching the people in those communities, to say at least, the most adequate means the Government has of reaching those people, and to a certain extent the only means, and in most of the cases, at least the only radio stations which can be relied upon to reach the people and in turn the people of those communities are mighty dependent upon those stations and I should think that some way ought to be worked out to enable those stations to stay on the air and perform that very essential service to the people and the Government. I have no assurance as to how it should be done, whether by loan or by the payment of programs and through tax measures if that be possible, I don't know."

Mr. Fly in answer to the question of payment for government programs said that might be one possibility. He said that loans to the stations are possible but "I am reluctant to see the Government get any sort of stake in private broadcasting. I should think if it could be handled on some other basis it would be better, but I do think serious attention must be given to that problem promptly."

The chairman said that in his opinion the tax measures would not be comprehensive enough to take care of the problem. Mr. Fly stressed particularly at the conference that he was thinking in terms of small towns and the most pressing problem comes in the smaller town pretty well isolated which has one radio station. "I would not limit this consideration to that class," he said, "but it is acute from the standpoint of public need and from the standpoint of Government need."

FCC RULES AND REGULATIONS

The FCC has taken the following action on its rules and regulations:

Adopted Order No. 77-B, suspending from January 1, 1943, until further order of the Commission, but in no event beyond January 1, 1944, Sections 12.26, 12.66 of the Rules Governing Amateur Radio Service and Section 13.28 of the Rules Governing Commercial Radio Operators, in so far as the required showing of service in connection with renewal of license is concerned. This Order continues in effect the provisions of Order No. 77-A, issued December 3, 1941 to expire not later than January 1, 1943.

Amended Section 61.33 of its Rules and Regulations governing Tariffs, so as to require the carriers to give information in the letter of transmittal with respect to the reasons for all changes in charges or regulations and, in the case of an increase in charges, the facts upon which the carrier relies in justification thereof.

Amended Part 10 of the Rules Governing Emergency Radio Services:

(a) *Section 10.41 State and municipal police stations (frequencies below 2500 kilocycles)*—The amendment does not change the frequencies available or the method of assignment to state and municipal police stations. Power authorizations for municipal police stations operating on frequencies below 2500 kilocycles will continue to be based on the official population figures of the Department of Commerce in Accordance with the present table in Section 10.121. The maximum power normally to be assigned to state police stations operating on these frequencies will be limited to 500 watts. Authorizations for both state and municipal police stations involving the use of power in excess of that specified would be granted only on the basis of a showing of need made by the applicant.

(b) *Section 10.42—State and municipal police stations (30000 to 40000 kilocycles)*—The amendment does not alter the present allocation of frequencies or the assignment of frequencies to the various classes of stations. The amended rule normally establishes a maximum power of 250 watts. Power in excess of the 250 watt limitation may be granted only on the basis of a showing of need submitted by the applicant.

(c) *Section 10.122* permits municipal and state police stations to communicate with Government stations, stations in the War Emergency Radio Service, or with other stations which are authorized to communicate with municipal and state police stations.

(d) *Section 10.123 Coordinated service*—The amendment does not change the present licensing procedure but clarifies the agreements that must be submitted with the application for an instrument of authorization in those cases where it is proposed to render a coordinated communication service.

CODE COMMITTEE TO MEET

The NAB Code Compliance Committee will meet for a two-day session Monday and Tuesday at the Hotel Mayflower, Washington. Principal topic of discussion will be the refusal of CBS and NBC to sell time to The Cooperative League of the U. S. A. on the grounds that the league sought to buy time for the discussion of a controversial public issue. Representatives of the League and the two networks will be heard by the committee Monday afternoon.

FDR BIRTHDAY BALLS

Neville Miller has accepted the radio chairmanship for this winter's President's Birthday celebration. Basil O'Connor, president of the National Foundation for Infantile Paralysis, invited Mr. Miller to take this position which he has held during the last several winters.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 14. They are subject to change.

Monday, December 14

W55NY—William G. H. Finch, New York, N. Y.—Modification of C. P., **45500 kc.**, 8,500 sq. mi., unlimited.

Tuesday, December 15

KOBH—Black Hills Broadcasting Co. of Rapid City, Rapid City, S. Dak.—C. P., **610 kc.**, 5 KW, unlimited, DA-night and day.

Consolidated Hearing

WALB—Herald Publishing Co., Albany, Ga.—Renewal of license, **1590 kc.**, 1 KW, DA-night, unlimited.

WALB—Herald Publishing Co. (Assignor); Albany Herald Broadcasting Co. (Assignee); Albany, Ga.—Voluntary assignment of license station WALB, **1590 kc.**, 1 KW, DA-night, unlimited.

WALB—Herald Publishing Co., Albany, Ga.—C. P., **1550 kc.**, 1 KW, DA-night, unlimited.

Wednesday, December 16

Further Consolidated Hearing

NEW—R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co., Nashville, Tenn.—C. P., **1240 kc.**, 250 watts, unlimited; facilities WXIX when vacated.

NEW—Tennessee Radio Corporation, Nashville, Tenn.—C. P., **1240 kc.**, 250 watts, unlimited.

WORK—York Broadcasting Co., York, Penna.—Modification of C. P., **1350 kc.**, 1 KW, DA-night, unlimited.

WHKC—United Broadcasting Co., Columbus, Ohio.—C. P., **610 kc.**, 1 KW, DA-night, unlimited.

Thursday, December 17

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—C. P., **1330 kc.**, 5 KW, unlimited, DA-night.

Friday, December 18

WCSH—Congress Square Hotel Co., Portland, Maine.—C. P., **970 kc.**, 5 KW, unlimited, DA-night and day.

WRDO—WRDO, Incorporated, Augusta, Maine.—C. P., **1400 kc.**, 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATION GRANTED

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Granted modification of construction permit (B5-MPVB-87) to change type designation of the aural and visual transmitters, change aural emission, change power rating of the visual transmitter, change antenna system, and extend completion date of construction to March 15, 1943.

DESIGNATED FOR HEARING

W9XER—Midland Broadcasting Co., Kansas City, Mo.—Designated for hearing application for construction permit (B4-PEX-39) to install a new transmitter and increase power to 3 KW.

Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Designated for hearing application for construction permit (B1-PH-29) for new station to operate on **46100 kc.**, with a service area of 10,000 square miles.

MISCELLANEOUS

WNYE—Board of Education, City of New York, Brooklyn, N. Y.—Granted license (B1-LED-8) to cover construction permit (B1-PED-18), which authorized changes in equipment, frequency **42100 kc.**, power 1000 watts, and special emission for FM with maximum frequency swing of **75 kc.**

W9XBB—Balaban & Katz Corp., Portable-Mobile, area of Chicago.—Granted license (B4-LVB-36) to cover construction permit (B4-PVB-78), which authorized new experimental television broadcast station; frequencies **384000-396000 kc.**, 10 watts, on an experimental basis only, conditionally.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Denied petition for review of action of the Motions Commissioner of November 18, denying the motion for continuance and severance in re their applications for renewal of licenses.

WBRY—American Republican, Inc., Waterbury, Conn.—Granted license to cover construction permit which authorized move of transmitter (B1-L-1727); granted authority to determine operating power by direct measurement of antenna power (B1-Z-1466).

WLW—The Crosley Corp., Cincinnati, Ohio.—Granted motion requesting postponement of hearing now scheduled for December 9 to January 8, 1943, in re application for modification of license.

Granted application of WJW, Inc. (WJW), Akron, Ohio, for modification of construction permit (B2-P-3263, as modified, for change in operation from 1240 to 850 kilocycles, increase power from 250 watts to 5 kilowatts, unlimited time, with directional antenna for day and night use), to change location of the transmitter from East side of Akron-Boston Mills Road, Northampton Township, to northwest of the intersection of Ohio State Highway No. 94 and Walling Road, Cuyahoga County, Ohio. The studios will also be moved as a result of the grant from Akron to Cleveland, and the type of the transmitter changed. The commencement and completion dates of the construction have been extended from August 15, 1942 and January 13, 1943, to 60 days after grant and 180 days thereafter, respectively, on the express conditions that (a) the towers associated with this station shall be marked in accordance with Section 303(q) of the Communications Act; (b) that no interference will be caused to Canadian Station CFRB, Toronto, Ontario, contrary to the provisions of North American Regional Broadcasting Agreement; (c) that the nuisance contour of CFRB shall be determined by measurements, and no construction shall take place until such measurements have been submitted and approved; and (d) subject to submission of proof of performance.

Denied the petition for rehearing filed February 9, 1942, by National Broadcasting Co., Inc., directed against the action of the Commission on January 20, 1942, granting without hearing the application B2-P-3263 of WJW to change frequency from 1240 to 850 kilocycles, increase power from 250 watts to 5 kilowatts and install directional antenna. However, the denial was without prejudice to the filing by National Broadcasting Co., Inc., of a new petition for rehearing directed against the grant to WJW as modified by the above action.

Approved a power of attorney for the affairs of licensee J. P. Beard to be handled by his wife, Veda Beard, during his service in the armed forces of the United States. J. P. Beard is the owner and licensee of Station KBTM, Jonesboro, Ark.

WIBA—Badger Broadcasting Co., Madison, Wis.—Granted petition to intervene in hearing on application of Capitol Broadcasting Corp. (WISH), Indianapolis, Ind., for construction permit to operate on **1310 kc.,** 5 KW, unlimited time, directional antenna at night (Docket 6444).

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Passed for one week action on petition for leave to intervene in hearing on Delta Broadcasting Co., Inc. (WQBC), Vicksburg, Miss., for modification of license to operate on **1470 kc.,** 500 watts night, 1 KW day, unlimited (Docket 6166).

WALB—Herald Publishing Co., Albany, Ga., Albany Herald Broadcasting Co., Albany, Ga.—Denied petition to hold hearing in Albany, Ga., on applications of WALB for renewal of license and for construction permit to operate on **1550 kc.,** 1 KW, directional antenna night, unlimited time, and application of Herald Publishing Co., assignor, and Albany Herald Broadcasting Co., assignee, for voluntary assignment of license of Station WALB; said petition was denied without prejudice to the filing of a petition for the taking of depositions of additional witnesses who may be unable to attend the hearing in Washington (Dockets 6398, 6399, 6400).

WORK—York Broadcasting Co., York, Pa.—Granted petition to continue hearing now set for December 16 until January 22, 1943, in re application for modification of construction permit to operate on **1350 kc.,** 1 KW, directional antenna night, unlimited (Docket 6368)

W55NY—William G. H. Finch, New York, N. Y.—Granted motion for continuance of hearing from December 14, 1942, until January 28, 1943, in re application for modification of construction permit (Docket 6363).

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Granted motion for postponement of hearing from December 17, 1942, until January 26, 1943, on application for construction permit to operate on **1330 kc.,** 5 KW, unlimited, directional antenna at night (Docket 6440).

Tennessee Radio Corp., Nashville, Tenn.—Granted petition for continuance of hearing now set for December 16, 1942, until February 15, 1943, in re applications of R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co., and Tennessee Radio Corp., for construction permits for new stations at Nashville, Tenn. (Dockets 6191 and 6193).

APPLICATIONS FILED AT FCC

570 Kilocycles

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modification of construction permit (B2-P-2547 as modified, which authorized increase in power, installation of new transmitter and directional antenna for night use and change in hours of operation) for extension of completion date from 12-31-42 to 4-1-43.

600 Kilocycles

WCAO—The Monumental Radio Co., Baltimore, Md.—License to use formerly licensed RCA 1-D-B transmitter as an auxiliary with power of 500 watts night and 1 KW daytime.

WCAO—The Monumental Radio Co., Baltimore, Md.—Authority to determine operating power by direct measurement of antenna power of auxiliary transmitter.

620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Modification of construction permit (B1-P-2868 as modified), which authorized increase in power, installation of new equipment and directional antenna for day and night use, for extension of completion date from 12-11-42 to 6-11-43.

680 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of construction permit (B4-P-2477 as modified), which authorized installation of new transmitter, increase in power, change hours of operation, move transmitter and directional antenna for use day and night, for changes in directional antenna (daytime pattern only) and extension of completion date from 11-30-42 to 30 days after date of grant.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—License to cover construction permit (B4-P-2477 as modified), which authorized installation of new transmitter and directional antenna for day and night use, increase power, change in hours of operation and move transmitter.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Authority to determine operating power by direct measurement of antenna power.

740 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Texas.—License to cover construction permit (B3-P-3011 as modified), which authorized change in frequency, increase in power, move of transmitter and installation of directional antenna for day and night use.

KTRH—KTRH Broadcast Co., Houston, Texas.—Authority to determine operating power by direct measurement of antenna power.

960 Kilocycles

KMA—May Broadcasting Co., Shenandoah, Iowa.—Modification of construction permit (B4-P-2599), which authorized installation of directional antenna for night use and increase in power, for extension of completion date from 12-24-42 to 2-22-43.

WSBT—The South Bend Tribune, South Bend, Ind.—License to use present licensed auxiliary transmitter as the main transmitter.

WSBT—The South Bend Tribune, South Bend, Ind.—License to use present licensed main transmitter as auxiliary transmitter.

1110 Kilocycles

WMBI—Moody Bible Institute of Chicago, Chicago, Ill.—Authority to determine operating power by direct measurement of antenna power.

1320 Kilocycles

KXYZ—Harris County Broadcast Co., Houston, Tex.—License to cover construction permit (B3-P-3016 as modified), which authorized change in frequency, increase in power, move of transmitter, installation of new transmitter and directional antenna for night use.

KXYZ—Harris County Broadcast Co., Houston, Texas.—Authority to determine operating power by direct measurement of antenna power.

1390 Kilocycles

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—License to cover construction permit (B5-P-3096 as modified) for new equipment, increase in power, installation of directional antenna for night use and move of transmitter.

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—Authority to determine operating power by direct measurement of antenna power.

1400 Kilocycles

KVGB—Helen Townsley, Great Bend, Kansas.—Voluntary assignment of license from Helen Townsley to KVGB, Inc.

1440 Kilocycles

WAAB—The Yankee Network, Inc., Worcester, Mass.—License to cover construction permit (B1-P-3194 as modified), which authorized move of transmitter and studio, increase in power and installation of new transmitter and directional antenna for day and night use.

WAAB—The Yankee Network, Inc., Worcester, Mass.—Authority to determine operating power by direct measurement of antenna power.

1480 Kilocycles

WRDW—Augusta Broadcasting Co., Augusta, Ga.—License to cover construction permit (B3-P-2966 as modified), which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use and move of transmitter.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATION

W57PH—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—License to cover construction permit (B2-PH-65 as modified, which authorized new high frequency broadcast station) *in part*.

TELEVISION APPLICATION

NEW—Balaban & Katz Corp., Chicago, Ill.—Construction permit for new experimental television broadcast station, using facilities of commercial television station WBKB. Frequency: Channel No. 2, **60000-66000 kc.;** power: aural, 2 KW; visual, 4 KW. Emission A5, special for FM for aural.

MISCELLANEOUS APPLICATION

KALO—Intermountain Broadcasting Corp., area of Salt Lake City, Utah.—Modification of license to increase power from 75 watts to 100 watts of relay station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

United Inheritance Bureau, and Guardian Service Bureau, 1278 Jefferson Ave., Buffalo, N. Y., selling and distributing envelopes and form letters in the nature of questionnaires designed to be used by creditors and collection agencies in obtaining information concerning debtors, is charged in a complaint with the use of unfair and deceptive acts and practices in commerce. (4874)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Brunswick-Balke-Collender Co., 629 South Wabash Ave., Chicago, manufacturer and distributor of bowling equipment and other merchandise, has been ordered to cease and desist from unfair acts and practices in commerce having the effect of lessening competition and tending to create a monopoly in bowling pins and bowling supplies. (3604)

Marvel Laboratories, 1205 Market St., Louisville, Ky., manufacturing and selling a product designated "Marvel Coal-Pep," advertised as a treatment for coal, have been ordered to cease and desist from misrepresentation of the qualities of the product. (4838)

New York Handkerchief Manufacturing Co., 1021 West Adams St., Chicago, manufacturer and distributor of handkerchiefs, has been ordered to cease and desist from misrepresentations of its products. (4727)

Wire Rope & Strand Mfg. Assn., et al.—Fifteen manufacturers of nonpatented wire rope, together with the association of which they are, or have been, members, have been ordered to cease and desist from entering into or continuing any combination or conspiracy to fix prices for their products, which are made in many sizes varying from that used for airplane control wire to cables employed in supporting suspension bridges.

The respondent member companies manufacture and sell approximately 85 percent of all the wire rope produced in the United States, and, according to the Commission's findings, to the extent that they act collusively in the pricing and distribution of their product, they are in a position to dictate and control the prices at which it must be purchased by distributors, dealers and users, including Federal, State and municipal agencies.

Respondents named in the order are:

The Wire Rope & Strand Manufacturers Association, Inc., Washington, D. C.; American Chain and Cable Company, Inc., New York; The American Steel and Wire Company of New Jersey, Cleveland; Broderick & Bascom Rope Co., St. Louis; Columbia Steel Company, San Francisco; E. H. Edwards Company, San Francisco; A. Leschen & Sons Rope Company, St. Louis; MacWhyte Company, Kenosha, Wis.; Pacific Wire Rope Co., Los Angeles; Rochester Ropes, Inc., Jamaica, Long Island, N. Y.; John A. Roebling's Sons Co., Trenton, N. J.; Union Wire Rope Corp., Kansas City, Mo.; The Upson-Walton Company, Cleveland; Wickwire Spencer Steel Company, New York; Wire Rope Corporation of America, Inc., New Haven, Conn., and Wire Rope Manufacturing & Equipment Company, Seattle. (4443)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Burton-Dixie Corp., 2024 South Racine Ave., Chicago; also maintaining factories in Brooklyn and Lansing, Mich., and operating a large number of warehouses throughout the country, and engaged in the manufacture and sale of mattresses and other merchandise, has stipulated to cease and desist from the use, or from supplying to others for their use, advertisements or printed matter containing any statement or representation tending to convey the belief to purchasers that its products, equipped with either of the so-called "Posturite" or "Ortho-Flex" units, are of such construction, scientific or otherwise, as to insure correct posture during sleep to all who use them; and from stating or representing that insomnia and other serious disorders are caused by faulty mattresses, that faulty mattresses interfere with the functioning of the sleeper's organs or that healthful sleep is not possible on a soft mattress. (3569)

Co-Operative Breeding and Hatching Co., Shelby, Ohio, selling and distributing chicks, has stipulated to cease representing that chicks sold by them have the strain of prize-winning or champion poultry or are of "Championship" caliber unless, in direct connection with any such representation, truthful disclosure be made that such chicks are related to and of the strain of losing as well as winning contest entrants; and to discontinue use of the statements "Pay Streak AAA Mating Barred Rocks are headed by males that are sons of pedigreed sires whose dams have records of 250 to 293 eggs," "One contest pen of Pay Streak S. C. Reds established the remarkable record of 248 eggs per hen for 10 hens," and "Pay Streak has had TWO National Laying Champions, including all breeds and all contests," or any other statement or representation of like meaning, the effect of which may tend to convey an erroneous belief or impression with respect to the laying or other records of poultry. (3571)

Gramercy Chemical Co., Inc., 161 Ashland Place, Brooklyn, and Andrew Borak, trading as The Roxola Co., at the same address, both engaged in the sale and distribution of a medicinal preparation designated "Zdroj" purportedly for use as a "Herbal-Bitter Tonic," have stipulated in connection with the advertising and sale of the product to cease and desist from representing by use of the statements "helps digestion," "beneficial in digestive disorders," "recommended by doctors for digestion" or any other statement of similar import that the preparation has a favorable influence on the digestive processes; representing that the preparation constitutes a competent treatment for debilities of the stomach or liver; that it exerts a stimulating effect upon the secretory glands of the body; that it exerts a tonic effect when used as directed; or that it has any therapeutic effect except as a temporary laxative for the relief of constipation. (3570)

M. M. Kronisch, 315 Seventh Ave., New York, selling and distributing fur garments, has stipulated to cease and desist from representing that the prices at which he sells or offers to sell his merchandise to the public are wholesale prices; and from the use of any method or device—such as the acceptance of introduction cards requesting that the person introduced be sold merchandise at "wholesale prices"—the effect of which may tend to convey the belief that he sells merchandise to any preferred consumer customer or customers or to the consuming public generally at wholesale prices. (3568)

Richard Best Pencil Co., Inc., Irvington, N. J., manufacturing and selling lead pencils under the brand name "Futura," has entered into a stipulation to cease use of the statements that its pencil "lasts three times as long as the best of competitive pencils" or "actually runs 3.8 times longer than the next best." (3572)

FTC CASE CLOSED

The Federal Trade Commission has dismissed its complaint against New Century Beverage Co., 820 Pacific Ave., San Francisco.

The complaint had alleged that the respondent had misrepresented the qualities of a carbonated water produced by it.

Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 50, December 18, 1942

NAB HEADQUARTERS MOVED

To facilitate reply, all future correspondence should be addressed to the Association at 1760 N Street, N. W. Western Union telegrams should be addressed to the Association, WUX, Washington; telegrams over other systems, at the address above given. The telephone number is NAtional 2080.

CODE COMMITTEE, CO-OPERATIVES REACH AGREEMENT

The NAB Code Committee and officials of the Co-operative League of the U. S. A., after conferences in Washington on December 14 and 15, on Tuesday issued the following joint statement:

"We believe that the advertising of co-operatives is and has been acceptable under the Code when the programs offered are designed to sell goods, trademarks or services of co-operatives.

"It is agreed that there is no objection to commercial copy incorporated in a program sponsored by a co-operative enterprise which states that (a) any person can make purchases at co-operatives; (b) membership in co-operatives is open and voluntary; (c) co-operatives are owned by members, each of whom has one vote; (d) profits or savings are returned to member-owners. However, in making such statements no attack is to be made on any other business enterprise or system of distribution.

"The length of commercial copy and character of such program should conform to the provisions of the NAB Code.

"Any discussion of the co-operative movement as such or as an economic system is properly confined to sustaining time which may be given by stations or networks in accordance with the public interest."

The Code Committee also stated:

"In respect to any program offered by the Co-operative League of the U. S. A., we suggest that such program be presented as having been produced by the Co-operative League of the U. S. A. on behalf of specific member co-operatives engaged in the sale or distribution of goods or services."

Representing the Co-operative League of the U. S. A. at the conferences were: Murray D. Lincoln, president; E. R. Bowen, executive secretary; Wallace J. Campbell, assistant secretary; John Carson, Washington representative; Robert L. Smith, educational director of the Eastern Co-operative League. The Code Committee members in attendance were: Earl J. Glade, chairman, KSL, Salt Lake City; Grant Ashbacker, WKBZ, Muskegon, Michigan; Jan Schimek, Columbia Broadcasting System, New York; Lee B. Wailes, KYW, Philadelphia; William S. Hedges, National Broadcasting Company, New York; Neville Miller, president, National Association of Broadcasters; Russell P. Place, NAB counsel and secretary to the Code Committee.

ASTROLOGERS

The Code Committee on Tuesday considered the problem of astrologers on the air which is to some extent again plaguing the industry. Although no action was taken by the Committee, it was the sense of the meeting that stations should exercise extreme care not to allow these people access to the air on paid time in violation of Item No. 3 of the NAB Standards of Good Taste.

CRITICAL OCCUPATIONS

War Manpower Commission is in the process of revising the list of critical occupations in the communications industry appearing in Occupational Bulletin No. 27 (see NAB Selective Service Handbook, Supplement No. 1). It is believed that the list of titles in the broadcasting industry will be expanded to include critical occupations not now listed, and that the new list will be released in a matter of days.

QUESTIONS AND ANSWERS ON SELECTIVE SERVICE

Here, in question and answer form, are the major facts about Selective Service, collected by the Office of War Information from the Bureau of Selective Service of the War Manpower Commision and the Army and Navy Departments, as released last Sunday by OWI. An attempt has been made to touch on most of the many questions raised, but it should be recognized that some basic information, particularly that dealing with future plans, would be useful to the enemy and cannot be released.

All arrangements and rulings under Selective Service are made for the purpose of obtaining the men the military forces need with the least dislocation of vital industry and agriculture. They are therefore subject to the conditions of war. Changes may be necessary from time

(Continued on page 710)

MERRY CHRISTMAS

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

QUESTIONS AND ANSWERS ON SELECTIVE SERVICE

(Continued from page 709)

to time. The answers given in the following pages are correct as of the date of this release. They do not constitute a binding assurance for the future.

Q. Now that voluntary recruiting by the Army and Navy has been stopped, can anyone get into the armed forces except through Selective Service?

A. No, except for women who will continue to be recruited for the WAACS, WAVES, SPARS, and Army and Navy Nurses' Corps, and a small number of civilians who may be commissioned in the armed forces. The Army and Navy may enlist specially qualified men over 38. Men who submitted applications for Army or Navy enlistment prior to December 5, 1942, may be enlisted up to December 15. In a "stopgap" move to fill the manpower needs of the Navy, Marine Corps and Coast Guard, the War Manpower Commission Tuesday authorized local draft boards to accept volunteers for the three service branches until February 1.

In granting the authorization, Manpower Chairman Paul V. McNutt instructed the boards not to allow men engaged in essential work to enlist. None of the service branches may conduct drives to step up enlistments, he said.

Under the temporary arrangement, draft boards will get credit under their quotas for all enlistments.

The prospective recruit will be required to go to his local draft board, fill out certain forms, obtain draft board approval and take the approved forms to a recruiting station. No application for enlistment may be considered unless the proper forms are presented.

In this way, McNutt hopes to prevent enlistments from interfering with the essential war operations while a permanent quota plan for all the services is being devised. This he hopes to complete by February 1.

Men who have already received notices to report for induction into the Army may not enlist in the other services.

Q. How many will be called through Selective Service this year?

A. The full answer to this is military information. The calls are made on a month-to-month basis, with the Selective Service being notified about two months in advance of the needs of the armed services. The President's recent executive order directs that the Secretaries of War and Navy shall, after consulting with the War Manpower Commission Chairman, determine the number to be selected. Official estimates have been made that the total armed forces (not including officers) will be increased from approximately 5,500,000 now to 9,700,000 by the end of 1943 (7,500,000 Army, 1,500,000 Navy, 400,000 Marines, and 300,000 Coast Guards), indicating a minimum need of 4,200,000 during 1943—an average of 350,000 a month, without reference to replacements.

Q. When will the 18- and 19-year-olds, who are being registered starting this week, be called into uniform?

A. Starting in January.

Q. How many of these young men will be called?

A. A great many had already enlisted, as of December 1, and estimates of those who may be available for early calls vary from 600,000 to 900,000.

Q. How many soldiers can we get during the next year, out of the 100,000 a month (1,200,000 a year) who attain the age of 18?

A. It is estimated that the armed forces should get 70,000 a month from this group. Those who are married and with children and those whose marriage was contracted at a time when their selection was not imminent, essential workers in industry and agriculture will not be called at once. There will also be some who cannot meet the physical qualifications. In addition, the Draft Act as amended provides for the deferment of high-school students in this group until the end of the academic year (April, May, and June in various localities) on written request. This latter provision does not apply to students in college.

Q. Will the 18- and 19-year-olds fill the quotas for the early months of 1943?

A. Not entirely.

Q. In what order will the 18- and 19-year-olds be called?

A. In accordance with their dates of birth, the older registrants will be called first. This means there will be no lotteries for this group as were held previously. Except for young men who are deferred by reason of their dependency status or because of their occupations, those persons who are nearly 20 will be called first, then those born 19 years and 10 months ago, then those born 19 years and 9 months ago, and so on down to the just-18's with later ones being liable for induction after they reach their 18th birthdays.

Q. Will the 18- and 19-year-olds be called before married men?

A. Generally, yes.

Q. Are married men being called now?

A. Yes, in some states, and they will be called generally before many months.

Q. Are married men with dependent children being called?

A. Generally, no. The calling of married men with dependent children, who have acquired dependency status in accordance with Selective Service regulations, requires specific authorization of the National Director of Selective Service and such authorization has not been issued.

Q. When will married men who are not deferred by reason of their occupation be called, and in what order?

A. Married men fall in three main categories and will be called in this order and at such times as their services are required:

1. Registrants, both married and single, with collateral dependents only. (Mother, father, etc.)
2. Registrants with dependent wives only with whom they maintain a bona fide family relationship.
3. Registrants with dependent wives and child or children and those with one or more children only, with whom they maintain a bona fide family relationship.

Two years of experience in Selective Service has shown at least 17 or more different classifications of married men for these purposes, and in determining the order of induction the local boards will use their best judgment. The recently-passed Allowance and Allotment law provides a system of payments to the family or dependents which eliminates much of the actual need for deferment, except in special or "hardship" cases.

Q. In view of the provisions made for necessary payments under the Allowance and Allotments Act, does "dependency" really mean anything in relation to deferment any more? If not, why is there still a 3-A classification?

A. Dependency is still a factor in Selective Service classification and 3-A will be continued. The Allowance and Allotments Act merely caused many wives of soldiers and persons who should be soldiers to cease to be dependents. Single men with dependents will be called first when it becomes necessary to go into the dependency (3-A) groups, then married men with wife only; then married men with a wife and child or children, or children only; but men with dependents who are not in essential industries or agriculture will be called ahead of other men with dependents.

Q. Is occupation coming to be, or has it become, the only ground for deferment, as in England?

A. No, but occupation is becoming more important in the classification of registrants. Even in England occupation is not the only ground, since hardship cases are still considered.

Q. Since the top limit for induction has been cut from 45 to 38 years of age, does Selective Service or War Manpower Commission have authority to direct the 38- to 45-year-olds into essential industries or war essential agriculture?

A. No, but they will be most useful there, and most of the job opportunities will be in those fields.

Q. Will the Army or Navy release its over-38 men back to essential industry or agriculture?

A. The Army has announced it will release these enlisted (or drafted) men, but only if they request it and if it is shown that the men are more useful to industry than to the Army and that they will be employed in agriculture or some other essential war industry on their release.

Q. How about the Navy enlistments?

A. Under the President's directives, the Navy may recruit men over 38, if they have special aptitudes or skills, and may recruit men under 18.

Q. The War Manpower Commission has announced a list of 35 essential industries and within them, lists of 3,000 jobs or occupations which are essential. Have all these lists been sent to the local Selective Service Boards, and if so, to what extent do they govern local board action?

A. Starting last April, the Selective Service System has sent out to local boards those definitions of essential industries, and occupations within each, as they were certified by a technical War Manpower Commission committee. Thirty-nine such "releases" have been sent to local boards so far, and others will be sent as the essential jobs are further defined. These lists will vary considerably from time to time. These lists are the latest available advice to the local boards. But their listings do not prohibit other deferments which may be made under the law by the local boards. Also, under the Selective Service laws, power and responsibility for the classification of each individual is placed on the local board, subject to the right of appeal, and group deferment for occupational reasons is forbidden.

Q. In these 35 essential industries will all workers now classified in Class 3-A be transferred automatically by their local Selective Service boards to Class 3-E?

A. No. Reclassification is not automatic. In the case of agriculture, however, instructions have been sent to local boards to reclassify essential workers on essential farms into 2-C and 3-C.

Q. Should a worker, or his employer, make a case for reclassification on the basis of "essential" employes in "essential" industries?

A. Such a case can best be made through "manning tables" and the replacement schedules which supplement the manning table which are now being put into effect by many war industry employers. In some plants, the case may be made for temporary deferment through the replacement schedules alone. At present deferment as an essential worker is granted only if it is shown affirmatively that a training period of at least six months is necessary before an untrained worker can attain reasonable proficiency in the job, that the job is essential in the industry, and that the worker is currently irreplaccable.

As a result of conferences with Selective Service officials, NAB believes the Manning Table Plan is not well adapted to the radio broadcasting industry generally. It is designed to expedite the orderly withdrawal from industry into the Army of workers in large industrial units. However, any station believing the Manning Table Plan to be well adapted to its deferment and training program is eligible to participate, and should communicate with the appropriate regional office of the War Manpower Commission as listed in Supplement No. 2 to NAB Selective Service Handbook.

Q. In the case of a worker in an essential industry, should the worker or employer make a case now for reclassification, or should they wait until the worker is called by the local board for examination?

A. Any application for transfer to 3-B should be made now, preferably by the employer.

Q. Will a married man with a wife only, classified 3-B because he is in an essential industry or 3-C because he is in agriculture, be called ahead of a 3-A grocery store clerk (not in one of the 35 essential industries), who has 5 children?

A. Under present instructions, local boards are not authorized to call married men with children. However, the need for workers in essential industry may become so acute that married men, even with children, in non-essential industries may have to be called ahead of those men with wives only who are engaged in essential industry, in which case the grocery clerk would come first.

Q. Can apprentices, trainers, and learners be deferred, if they are employed in the 35 essential industries or outside?

A. No, but if they are in the 35 industries, they may be deferred on the basis of the training, qualifications and skill which they have acquired, the experience they have obtained and the occupation in which they are engaged, and the use to which the employer is putting the maximum skill of the apprentice and permitting them to undertake work and supervision in the skills which they have acquired.

Q. If a wife takes a job, how does that affect her husband's draft status?

A. If the husband has been found by the local board to have an essential job in industry or agriculture, her husband's status will not be affected by her taking a job. If the Allowance and Allotment Act was not enough to affect his status, it is possible the additional income might change the status of a non-essential worker without children. In general, however, wives by going to work will tend to release some unmarried men for military service, and thus postpone the time when married men will be called in large numbers. It should be remembered also that local boards in considering dependency deferment will consider not only whether a wife is working, but equally whether she can work.

Q. What has Selective Service told local boards about married men?

A. Several instructions on dependency have been sent out, the most significant of which probably is Local Board Release 123, which authorizes local boards to consider reclassifying single men with collateral depedents (father, mother, etc.), and married men without children into class 1-A, thus making them available for call. It should be kept in mind that marriage itself is never a basis of deferment, only dependency.

Q. Will we reach a saturation point beyond which few additional soldiers will be needed?

A. Probably not during wartime. Such a point would depend upon war strategy and the progress of the war. There will undoubtedly be need for replacements, etc., as long as we are at war.

Q. Is there any difference between a "necessary" man and an "essential" man since both have been mentioned in Selective Service bulletins?

A. No. "Necessary" probably describes the situation more precisely with reference to occupational deferments, but there is no difference in usage.

Q. What happens to the non-essential type of worker in agriculture and the 35 essential industries?

A. Local boards will place them in 1-A or, if they have dependents, in 3-B, in the case of the industrial workers. In the case of farm workers, they will be placed in 3-A if not engaged in essential jobs and have dependents.

Q. Have quotas been suspended in some states because of heavy occupational deferments?

A. In one state, quotas were reduced, and in two, they were modified during the harvest season.

Q. Before Army physical requirements were relaxed, many were rejected and placed in IV-F who would not be rejected now. What is being done about them?

A. Local boards are calling in 4-F registrants constantly for reconsideration under the more liberal requirements, and many are reclassified into 1-A as a result.

Q. Why does one see so many young men still in civilian clothes?

A. Many of them have been rejected for physical disabilities, which may not be apparent. The usual rejection rate for this cause varies according to age group but averages about 30 per cent. Others are war workers, of course.

Q. What is being done by the local boards with the 38- to 45-year-olds who cannot, under the President's order, be called?

A. They will be put in new class, 4-H, and could be made available for armed service if the President should rescind this order. However, it is expected that most of them will find essential jobs in war industries.

Q. With the Navy, Marines and Coast Guard now drawing men through Selective Service for the first time, will the registrant have an opportunity to choose his service?

A. At the time he is inducted, a registrant will have an opportunity to express his preference. The needs of the services and the man's own skills and experience will be major factors in determining which branch takes him.

Q. Does the Selective Service System operate fairly?

A. The heart of the system are the 6,500 local boards representing every county in the United States and our possessions. The boards are composed of citizens and residents of these counties serving without pay, who have first-hand knowledge of local conditions and possess the confidence of their neighbors. In more than two years of Selective Service operations, these boards have sent into military training and service more than 3,000,000 men drawn from every level of society, from every race and creed.

Q. What about rumors of influence being used with local boards?

A. Lotteries have been held to guarantee that selection of men, and the order in which they should go, should be determined without reference to wealth, influence, social position or other such factors.

Q. There have been rumors of prejudice for or against various races, creeds and colors. What about them?

A. Major-General Lewis B. Hershey, Director of Selective Service, has just answered that one. He says:

"Casualty lists from the area of actual combat, which include men of all colors, race and creeds, are the best indication of all, that the Army which has been raised through Selective Service represents America at its best.

"The winners of the awards for bravery are from the North as well as the South, and from the middle West and the far West, colored as well as white, and representing every creed in the population of our great nation. The newspapers and other periodicals have told the story graphically. The qualities of bravery, courage, initiative, and patriotism in their finest sense are not the exclusive property of any race or color, of the citizens of any particular economic level, or of any section of our land."

Q. What are the current classifications of registrants and what do they mean?

A. Here are the classes, and their definitions.

1–A	Registrants available for general military service.
1–A–O	Registrants who are conscientious objectors available for noncombatant military service when found acceptable to the land or naval forces.
1–C	Registrants who have been inducted into, enlisted in, or appointed to the armed forces.
2–A	Registrants who are necessary or essential in their civilian activity.
2–B	Registrants who are necessary or essential to the war production program, excluding agriculture.
2–C	Necessary or essential men in agriculture.
3–A	Registrants with dependents, engaged in less essential industry or less essential agriculture.
3–B	Registrants with dependents, engaged in an activity necessary to the war production program.
3–C	Registrants with dependents engaged in essential agriculture.
4–A	Registrants who before induction have become 45 years of age, since they registered.
4–B	Registrants who are deferred specifically by the law itself.
4–C	Registrants who are aliens not acceptable to the armed forces or who waived their rights to become citizens to avoid military service.
4–D	Registrants who are ministers of religion or divinity students.
4–E	Registrants who are conscientious objectors available only for service in civilian work of national importance.
4-F	Registrants who are mentally, morally, or physically unacceptable to the armed forces.
4–H	Registrants who are 38 to 45 years of age. New class.

Q. How many have been registered and classified?

A.	Number
Registration—U. S. Total (as of Sept. 30, 1942)	26,151,913
Unclassified	1,948,238
Classified	24,203,675

N. Y. STATE TRAINS TECHNICIANS

Editor's Note: The following report was presented before New York state broadcasters on December 7, during the two day meeting of District 2, in New York City. Because it records an outstanding historical achievement in assisting our Nation at war, it is presented in full:

By Col. Harry C. Wilder, WSYR
Chairman, Military Committee
Second NAB District

Do we broadcasters remember Pearl Harbor? In one year in one state the all-out effort of radio stations is nothing short of amazing. I will report only on one phase of this war effort.

We sought beyond our war news and important morale functions some extra means of supporting the forces. The NAB shortly after Pearl Harbor decided that broadcasters enroll and train radio technicians for the war. The need then and now is desperate. Through the U. S. Department of Education funds were made available for instruction and equipment, but someone in each state had to organize this ambitious plan. The radio stations of New York have seen it through.

Just before the end of December 1941 I was designated to organize the colleges of this District. No time was lost. In the first week of January two meetings were held; one in Syracuse and one in New York City, at which nearly every college and university in New York and New Jersey was represented in response to our invitation. In many cases the heads of these institutions attended.

Art Stringer, secretary of the NAB War Committee, who has done a magnificent job, and Commander Lee of the Navy explained the plan and outlined the 32-week night courses. We promised that the broadcasters would recruit all they could train in these courses, would furnish instructors wherever possible, would give surplus equipment and would otherwise see this project through. Nearly every college had more applicants than could possibly be accommodated. The stations, without exception, all deserve fullest possible credit.

Courses Started in February

All of these courses were soon under way and by February 1942 in nearly every New York community with over 10,000 population, one or more of these night courses was in operation. It is to the eternal credit of our stations that hard pressed as we are for engineers to keep us on the air, we were nevertheless, able to furnish a large number of instructors. These men have worked their regular shifts and devoted long extra hours every week as war instructors. Some of these engineers were later drafted; a reflection upon American handling of manpower problems.

The two Co-Ordinators representing directly the U. S. Education Department are Dean Hollister of Cornell University and Dean Newman of the College of the City of New York. Dean Hollister and his efficient staff supervise everything north of New York City. Dean Newman has metropolitan New York and New Jersey. Early in the year it was found best for radio to function as state units. New Jersey was separated and I refer only to the training activities in New York state, with emphasis on the area north of New York City.

In the face of later heavy demands upon the colleges for many other large war training courses, they have continued these night courses. There should be no move in Washington toward cutting down this activity because all services are still short. We have the recent statements of the Army and Navy that the quality of those who have completed our fundamental courses is high. This is after all, the acid test.

Along in the summer preference was given to applicants who were acceptable to the enlisted reserve of the Signal Corps. Since then the Army Air Forces, Communication Branch, has come to us with a similar enlisted reserve plan. We have also invited the Navy to join in this reserve plan. The Signal Corps pioneered and have taken most of the acceptable enrollees. Many of our graduates, however, have joined other services.

Both Men and Women Trained

Yet we have never at any time permitted the urgent dilemma of the stations to cross up the main purpose—that we must furnish these graduates to the armed services. We have, however, included a few women as extra students, who receive the same instruction. Now the WAAC's want some of these women. Many women will be available to replace station engineers entering the services.

The stations should contact the nearest college to line up these trained women or certain men who cannot enter war service for age, physical or other reasons. We have not been selfish in this project but we have incidentally provided a small reservoir of trained people to replace depleted station ranks. For example, let's mention only one of many. Station WJTN of Jametsown, has one full time employee who graduated from one of these courses and who now has a first class license. Another graduate is a half time employee. The manager of WJTN states that these two men have been of tremendous aid in their fast depleted engineering staff and they plan to bring another nearby student in. They have kept such stations on the air.

We have insisted upon scrupulous observance of the courses as outlined by NAB because they were as required by the armed services. It is true that the stations can on their own, establish code and other technical classes and turn out many more trainees. Many high schools now operate radio courses for pupils not high school graduates. Without extensive later experience, these courses all help but can hardly meet the military needs for well rounded fundamental radio training in these "college-level subjects."

Students Complete Studies

A very large percentage now are able to finish the courses; in fact, more than expected. We must have some additional equipment and instructors without which new courses cannot be added. We now call on all stations to hunt up among amateurs and from their own surplus stocks any possible usable equipment.

The total number who have taken the upstate courses is 4,000 of which 170 are women. Because these courses in New York City were separated from upstate, we can only estimate state-wide results.

Probably one-third can be added from Greater New York to the upstate totals; there being no complete record available.

In the state about 5,200 have taken these night courses. 2,400 have completed the first half and are well along to final graduation in upstate colleges.

In addition, several other types of radio courses have been given in New York colleges, mostly by direct arrangement with the armed services. I have reason to believe that over 15,000 have in 1942 taken some radio course in state colleges, not including the public school system or commercial radio schools.

Sixty-five station engineers now teach these courses and 35 more engineers are at once available as instructors. Probably 50 engineers would volunteer as instructors if equipment were available for more classes. This apparatus bottle-neck is hard to crack, as priorities are not usually granted to colleges urgently needing apparatus to train more radio men.

Conclusion: For the first time in radio history, college radio courses have been put on a mass production basis. We know it is possible to concentrate such training in area as large as upstate New York. Most of these graduates are immediately needed in the war, but they also constitute a future trained supply for the radio industry. Whether these courses will continue another year, nobody knows. It depends on changing military policies. It is quite possible that in the future all will first be enlisted and then trained in colleges under full military supervision of the Army and Navy and without the sponsorship of broadcasters. All of these graduates will be needed to man new developments in the post-war radio age, but the single and only objective today is to produce these technicians to get the war over with. And complete victory can be speeded by extra effort by everyone on the home front, which is the challenge accepted by the New York stations.

Labor

ESCALATOR CLAUSES

The War Labor Board ruled this week that "escalator" clauses in labor contracts should not be enforced when they would bring salaries to more than 15 per cent above their January, 1941, levels.

For instance, take the case of a contract made in April, 1942, which provided that employees who had been making $30 a week for some years should receive a raise of $2.50 a week, with another $2.50 raise each six months for the duration of the contract. Under the WLB ruling, the employees could be given only $2 of the first "automatic" raise, and then could receive no more, even though they were provided by the contract.

Any adjustment would have to be approved by the WLB. The text of the order:

TITLE 29—LABOR

CHAPTER VI—NATIONAL WAR LABOR BOARD

Part 803—General Orders

(Adopted December 8, 1942)

§ 803.22—General Order No. 22. (A) No clause contained in any labor agreement, commonly known as an "escalator clause," relating to wages or salaries subject to the jurisdiction of the National War Labor Board, regardless of when the agreement was made, which provides for an adjustment in wage rates after October 3, 1942, or an adjustment in salary rates after October 27, 1942 because of changes in the cost of living, shall be enforced, where such adjustment would result in rates in excess of fifteen per cent above the average straight time hourly rates or equivalent salary rates prevailing on January 1, 1941.

(B) Adjustments within the fifteen per cent limit must be submitted for approval by the Board in the usual manner.

SICK BENEFITS

The WLB decided this week (Strand Baking Co. case) that it would not impose new or more liberal sick benefit clauses in the absence of special employment hazards.

Broadcast Advertising

1943 SALES PROMOTION CALENDAR IS AVAILABLE

Through the courtesy of Richard G. Meybohm, Manager, Sales Promotion Division of the National Retail Dry Goods Association, the 1943 Sales Promotion Calendar for Retailers and National Advertisers is being made available to broadcasting stations at $2.50 each. This is considered the most authoritative work in the field of day-by-day merchandise promotion.

With the increased emphasis which is being placed on department stores and retail establishments as sources of broadcast advertising, many radio stations will want to have a copy of this comprehensive analysis of sales promotions by months and by days.

Among the subjects covered for each month are: comments on that month's promotions; sales percentages by departments for that month; Important departments for that month; volume of the average store's total annual sales for the country as a whole that should be produced that month; and individual daily recommendations.

No better exposition exists of the problems of the retailer under wartime conditions than that contained in the Foreword to the 1943 Calendar, written by Mr. Meybohm. Here are the opening paragraphs:

"The year 1943 promises to be one of historical significance in retail sales promotion. Faced with an almost unpredictable merchandise situation caused by an ever-increasing diversion of production from civilian goods to war goods, the job of 'selling' in a period which contrasts an ebb of production against a peak of demand might not on the surface appear to be important. Yet if retail advertising and promotion be considered with its true purpose in mind—that of store promotion instead of sales promotion—it appears to become more important than ever. For probably never before has store selling been as worthy of consideration than at present.

"Certainly wartime conditions and their attendant shortages of merchandise, price and inventory control, etc., must be viewed as temporary whereas the life of the retail store may be reasonably expected to continue after Victory has been won.

"The successful store in peace time has always been that store which has been able and willing to cater to the needs and wants of people in a larger measure than competition. There seems to be no reason why this rule for success should not continue now and into our post war life.

"Normally these requirements and desires were in the main linked with merchandise which stores offered for sale. The availability of quantities sufficiently large to satisfy all demands and to profitably advertise was practically assured. Today this picture appears to be rapidly changing.

"The needs and wants of the American people have and will continue to change as the full impact of war is felt. Of necessity then sales promotion methods must also change. Large scale merchandise promotions might eventually become impractical because of the lack of quantities of specific types of merchandise. As a substitute implement to draw traffic and to keep those necessary daily contacts with customers, stores might well become centers of wartime information; their promotional activities might lean toward help in solving the customers' problems brought on by the war; to the establishment of bureaus of information; lectures, forums, instructive classes and the like. It short, stores might well serve as centers of community life."

You man obtain a copy of the 1943 Calendar through the Department of Broadcast Advertising of NAB. Make your check for $2.50 payable to the National Retail Dry Goods Association.

WARTIME SHIFTS IN CONSUMER BUYING HABITS

From an Address before the
National Federation of Sales Executives

By WILLIAM H. HOWARD

Executive Vice-President
R. H. Macy and Company

Reprinted Through the Courtesy of "The Advertiser's Digest"

During the course of the recently completed tour of district meetings, many station managers and sales managers asked for copies of the "Wartime Shifts in Consumer Buying Habits" from which Lewis A. Avery quoted during the forecast of business. Through the courtesy of "The Advertiser's Digest," in which this speech was reproduced, we are able to reprint the salient points of this talk.

"The changes that are taking place in people's lives nowadays are becoming fairly obvious, and now the changes in their buying habits are beginning to make themselves felt. No one knows how far-reaching these changes will become because they are bound up with the length of the war, the extent to which rationing becomes necessary, and still further stringencies in transportation and the availability of consumer goods.

". . . We called a meeting of the publicity staff at Macy's and posed ourselves this problem: Now that we are at war, a great many changes are going to take place in the lives of individuals. Let us list on a sheet of paper all of the changes we can think of that are occurring to people. Then, we are in a position to decide what we want to do with our advertising, publicity, displays, our promotion of merchandise and the approach of our sales force.

"The list we finally enumerated was a lengthy one: it consisted of such things as:

"1. Women will have less time for normal pursuits than formerly, since they will be engaged in an increasing number of war activities. If they have less time for normal pursuits, they obviously will have less time for shopping and still less time for reading advertising.

"2. With the shortage of tires and with gasoline rationing, they will not be driving into town to shop.

"3. A certain number of families living in the suburbs will find the transportation problem too much for them and will move back into town. A certain other group of families, fearful of air raids and apprehensive about the safety of their children, will move to the suburbs, as close to transportation as they can get.

"4. There will be more home entertainment. Nearby movies will become increasingly popular. They will listen to the radio more.

"5. Women are going to be concerned with making what they have last longer because they will be doubtful about the quality of replacement goods.

". . . We must make our appeal to them (women) as brief, and informative, and to the point, as we can . . . it is equally true that they are very much interested these days in merchandise. . . . So while our story must be to the point it must also be complete; it must be more factual than it has been in the past. It must be simple, straight-forward, convincing and easy to buy from."

Doesn't that need match many of the distinctive advantages of broadcast advertising?

FREE TIME REQUESTS

The Radio Script Service of "Feature Bureau" at 50 East 42nd Street, New York City, is offering radio stations "free" monthly scripts on a Cooking Conservation Contest. Although various government agencies are alleged to be cooperating in the contest, stations have found that all scripts emphasize the importance of molasses in cooking conservation. This is no mere coincidence. Earlier this year, in response to a request for information on the purpose of the "Feature Bureau," Miss Marion Cahn wrote in part:

"The scripts as we offer them to radio programs are non-commercial in the majority of items—and in one or two items we represent associations like the doughnut industry; molasses industry . . ."

The old adage still holds true: "If you give it away, you can't sell it."

The managers of several Firestone Stores (subsidiary of Firestone Tire and Rubber Company) have approached radio stations with the suggestion that they broadcast Philharmonic records on a no-charge basis, with the understanding that the station will announce: "You are listening to a program of Philharmonic records sold exclusively by Firestone dealers and stores." Obviously, this is a commercial proposal and should be so regarded by the stations approached.

Listener Activities

CLEVELAND COUNCIL EVALUATES PROGRAMS

Mrs. J. Leon Ruddick, Chairman of the Evaluation Committee of the Radio Council of Greater Cleveland, has issued a most interesting report. In September the Cleveland Council sponsored the second regional conference on radio. As a result standards for the evaluation of children's radio programs were recommended. These standards follow:

1. Children's programs should be artistically sound. Top writers, actors and producers should be used in the creation of these programs.
2. Programs should be planned by joint committees including persons with a knowledge of children and those with a knowledge of showmanship.
3. Programs should build attitudes such as: loyalty, dependability, responsibility, integrity, tolerance, and pride.
4. Programs need, in this war era, to instill more definitely in children our democratic ideals. Definite propaganda for this purpose is desirable in our war against the totalitarian practices of the Axis Nations.
5. Children should have a wide range of programs such as the range for adults, including: variety, quiz, news, drama, and music.

In her release of December 4, Mrs. Ruddick, as Chairman of the Committee, states:

"A committee representing the Radio Council, working with the above standards in mind, submits the following list of programs which seem most nearly to measure up to the standards given. Programs were judged with children of Elementary and Junior High School ages in mind. The hours of listening agreed upon were 4 to 8 p. m. on school days, and 8:30 a. m. to 8 p. m. on Saturday and Sunday.

"Using the standards in the order of their listing, programs most nearly fitting these standards are given.

1. Let's Pretend; Saturday, a. m.; WGAR.
   Family Hour; Sunday, 5 p. m.; WGAR.
2. Story Time; Saturday, 9:45 a. m.; WGAR.
   Story Teller; Saturday, 10:45 a.m.; WHK.
   Little Doctor Hickory; Sat., 2:35 p. m.; Blue Network.
   Little Blue Play House; Saturday, 11:30 a. m.; WHK.
3. Uncle Henry's Dog Club; Sunday, 9:45 a. m.; WTAM.
   * Pan-American Holiday; Saturday, 1 p. m.; WTAM.
   ** Wings Over Jordan; Sunday, 10:30 a. m.; WGAR.
4. *** God's Country; Saturday, 11:15 a. m.; WGAR.
5. **** Kostelanetz; Sunday, 4:30 p.m.; WGAR."

The committee also recommended "Cavalcade of America" and "Men of the Sea" as worthwhile programs that dramatized the lives of heroes of all time and those in today's struggle for freedom.

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* "Pan American Holiday" was included because it brings to children an understandable picture of our Latin American neighbors.

** "Wings Over Jordan" while directed to adults, was selected because it teaches children tolerance and an appreciation of other races.

*** "God's Country" dramatizes the various sections of our own land and it was felt that this gave valuable information and inspiration to youth.

**** The "Kostelanetz" program, by its styling, brings to youth an awareness of the best in music in both classic and popular fields.

DU PONT AWARDS

The Alfred I. duPont Annual Radio Awards was established May 1942, by Mrs. Alfred I. duPont of Jacksonville, Florida, and the Florida National Group of Banking Institutions in Florida.

Two awards of $1,000 each will be given each year.

One will go to the individual radio station in the United States which, in the opinion of a board of impartial judges, has rendered outstanding public service during the calendar year by encouraging and promoting American ideals and giving devoted service to the nation and to its community. The other award will go to the radio commentator who, in the opinion of the judges, has performed outstanding public service by aggressive, consistently excellent, and accurate gathering and reporting of news during the calendar year, and for expert and reliable interpretation of the news.

The awards for the 1942 calendar year will be announced the first week in March, 1943. In order to give the judges adequate time for consideration of all stations and commentators nominated for the awards, it will be necessary that all nominations be in by January 1, 1943. These nominations should be made by writing to W. H. Goodman, Secretary, Alfred I. DuPont Radio Awards, Trust Department The Florida National Bank, Jacksonville, Florida. Nominations should be accompanied by data supporting the claims of outstanding service made by the nominator. The decision of the Judges will of course be final and conclusive in all respects.

N. Y. SLANDER CASE

The New York Supreme Court last week in an action for slander ruled that a radio station is not liable for the extemporaneous defamatory remarks of a political candidate, provided the station had exercised "due care in the selection of the leasee of its facilities and in the inspection of the script." The ruling was made by Judge Wasservogel in the case of *Josephson* v. *WMCA*, and appears to apply to defamation in political broadcasts the "due care" rule laid down by the Supreme Court of Pennsylvania in the Summit Hotel Case.

"The fourth and fifth defenses," the court said, "plead qualified privileges under Section 315 of the Federal Communications Act. This section prohibits discrimination among qualified candidates for public office in the use of the facilities of a radio station and denies the right of censorship to the radio station. The person who uttered the defamatory matter was such a candidate. Since this statute creates certain obligations and limitations, it is proper that the owner of the radio station be given corresponding qualified privileges against liabilities for statements which it has no power to control."

In the State of New York the Court of Appeals is the court of last resort, with right of intermediate appeal to the Appellate Division of the Supreme Court. The Supreme Court is the trial court. Until affirmed by the Court of Appeals the ruling will not have the effect of binding authority in New York.

NETWORKS GRANTED REVIEW

The Supreme Court Monday granted review in the CBS-NBC cases against the Government to annul the network regulations and placed the case on the summary docket. Under the Urgent Deficiencies Act the networks have the right of direct appeal to the Supreme Court, and it was virtually a formality for the court to note probable jurisdiction and expedite hearing. Operation of the regulations was stayed by the New York court until February 1, 1943, or until argument before the Supreme Court, whichever is earlier. It is expected the cases will be reached for argument in January.

NAB ASKS TREASURY FOR OPINION ON GOVERNMENT TIME

NAB has requested the Treasury's opinion on the deductibility from gross income of the value of time given by radio stations to the Treasury, the War and Navy Departments, and other agencies of the Government for programs and announcements in support of the war effort.

Section 23(q) of the Internal Revenue Code, as amended by Section 125, the Revenue Act of 1942, provides, in part, for the deduction from gross income "in the case of a corporation (of) contributions and gifts payment of which is made within the taxable year to or for the use of (1) the United States * * * for exclusively public purposes * * * to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefits of this section."

PUBLIC RESPONDS TO SPOTS

Thanks to you the public is beginning to understand.

Our appreciation is expressed to the following stations for cooperation in directing listeners to bring radios to radio repairmen instead of asking that they be picked up. Other stations who are helping have been reported in previous issues of NAB REPORTS.

As a matter of fact, ODT regulations have now restricted the movement of servicemen's cars to such an extent that, generally speaking, no other course is feasible.

The short messages, which stations were asked to broadcast on a rotating schedule, are helping both industry and government. When the wartime situation is explained and understood by listeners, there is little or no resentment over the elimination of the pickup service. Removal of this "frill" enables radio repairmen to handle more sets per day and thus *partially* compensate for hundreds of servicemen in uniform.

WAKR, Akron; WROW, Augusta, Ga.; KFYR, Bismarck; WDOD, Chattanooga; WEST, Easton; KVFD, Fort Dodge; KARM, Fresno; WTIC, Hartford; WAZL, Hazelton; KMTR, Hollywood; KCMO, Kansas City, Mo.; WASK, Lafayette; WGAL, Lancaster; KOOS, Marshfield; WNYC, New York City; KBON, Omaha; WDAS, Philadelphia; KGFX, Pierre; WWSW, Pittsburgh; WTAD, Quincy; WSYR, Syracuse; KFUO, St. Louis; KTUC, Tucson; KVOA, Tucson; KUJ, Walla Walla; WDEL, Wilmington.

FRANK RECEIVES "AWARD OF MERIT"

Last summer, Nathan Frank, WCBT, Roanoke Rapids, N. C., went all out for Navy, putting both the station and himself solidly behind recruiting.

On December 10 he received the Award of Merit by the Navy Recruiting Station at Raleigh for the enlistment of 585 men. During five months, July through November, Mr. Frank, alone, interviewed 1,187 men. Of this number the 585 were enlisted and are now serving in the Navy.

FEDERAL COMMUNICATIONS COMMISSION

FLY PRESS CONFERENCE

Some progress is being made by FCC in connection with the manpower situation in the industry, Chairman James Lawrence Fly stated at a press conference this week.

The FCC staff has been in conference with the staff of the Manpower Commission, and the Chairman said, "We feel assured that the Manpower Commission will review the entire list of requirements of the industry, and when I speak of the requirements I do not think that we ought to be unduly concerned over some reports that only news and information service and those devoted to that particular service will be deemed essential."

He called attention to the fact that the broadcasting structure rests upon the foundation of commercial broadcasting and broadcast stations cannot exist for the isolated purpose of news and information "unless they be subsidized broadly."

"Of course there is always," the Chairman said, "the further factor that audiences must be built up and sustained. Without continuing the service and without attractive service, including entertainment, the audience will not be there. Audiences cannot be turned on and off like a spigot. I am sure it will be very obvious to all of us who are concerned with the continuity, stability and security of the broadcasting industry that all positions essential to those requirements will be recognized."

Mr. Fly expressed concern over the tendency "on the part of certain applicants and broadcast stations and their backers to assume that the wartime rules may be broken down." He said these rules are designed to prevent the use of materials and to preserve new materials for war purposes.

There is extreme demand for radio materials for essential war purposes, and this is thoroughly understood throughout the industry, Mr. Fly continued. Certain equipment has been taken by agreements of the owners out of the hands of some of our broadcasters, and no doubt additional materials which are available will be called for in the future.

"I think we have got to make it awfully clear here," the Chairman said, "that as long as these rules are in effect we have all got to live under them as best we can." Mr. Fly stated that he thought the question of living up to the rules had come about through the recent grant of the Commission which moves WJW. In this connection he called attention to the fact that no new material is being used in this program.

The FCC, Mr. Fly said, is still making studies and holding conferences regarding the status of small stations which may have difficulty in staying on the air due to the falling off of local business. This is particularly acute in a number of smaller towns and cities served by local stations dependent upon the business of the particular town. The Chairman expressed hope, "that some sound plan can be evolved for the relief of these stations so we can be assured of their continuing operation during the war. Perhaps not a more essential class of station in the whole broadcasting structure. Needless to say the tax measure may be of some assistance. That can hardly be demed a major alleviative."

DEMPSEY IN KOA CASE

The FCC has designated Mr. William J. Dempsey as Special Counsel for the purpose of assisting in the preparation and presentation to the Supreme Court of the case entitled "National Broadcasting Co., Inc. (KOA) v. Federal Communications Commission." This case involves the validity and interpretation of the Commission's intervention rule which was adopted while Mr. Dempsey was General Counsel of the Commission.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 21. They are subject to change.

Monday, December 21

Further Hearing

WTNJ—WOAX, Incorporated, Trenton, N. J.—Renewal of license, **1310 kc.**, 500 watts, SH-WCAM and WCAP.

WTNJ—WOAX, Incorporated, Trenton, N. J.—Modification of license, **1310 kc.**, 500 watts, unlimited; request facilities of WCAM and WCAP.

WCAM—City of Camden, Camden, N. J.—Renewal of license, **1310 kc.**, 500 watts, SH-WTNJ and WCAP.

WCAM—City of Camden, Camden, N. J.—Modification of license, **1310 kc.**, 500 watts, SH-WCAP; request facilities of WTNJ.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Renewal of license, **1310 kc.**, 500 watts, SH-WTNJ and WCAM.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Modification of license, **1310 kc.**, 500 watts, SH-WCAM; request facilities of WTNJ.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Granted modification of construction permit for approval of studio site, move of transmitter location and change in antenna system, on condition that applicant take care of reasonable complaints on blanketing (B2-MP-1650).

WSAY—Brown Radio Service & Lab. (Gordon P. Brown, Owner), Rochester, N. Y.—Granted modification of construction permit for change of location of transmitter, change type of transmitter and change directional antenna system for day and night use (B1-MP-1609).

WOW—Woodmen of the World Life Insurance Society (Assignor), Radio Station WOW, Inc. (Assignee), Omaha, Nebr.—Granted consent to voluntary assignment of license for Station WOW, from Woodmen of the World Life Insurance Society to Radio Station WOW, Inc. The assignor proposes to assign the license and lease all the fixed assets used in connection with Station WOW to the assignee. The lease agreement is for a term of 15 years at a monthly rental of $8,166 for the first three years and $5,680 per month for the remaining 12 years of the lease. (Commissioners Walker, Wakefield and Durr dissented.)

LICENSE RENEWALS

WDBC—Delta Broadcasting Co., Escanaba, Mich.—Granted renewal of license for the period ending in no event later than December 1, 1943.

Granted renewal of following station licenses for the period ending in no event later than December 1, 1944:

KARM, Fresno, Calif.; KDTH, Dubuque, Iowa; KLO, Ogden, Utah; KPRO, Riverside, Calif.; WWRL, Woodside, Long Island, N. Y.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted renewal of license for the period ending not later than August 1, 1944.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted renewal of license for the period ending not later than October 1, 1944.

DESIGNATED FOR HEARING

KDNT—Harwell V. Shapard, Denton, Tex.—Designated for hearing application for modification of license to change frequency from **1450** to **1400 kc.** (B3-ML-1143).

WJNO—WJNO, Inc., West Palm Beach, Fla.—Designated for hearing application for construction permit to reinstate construction permit B3-P-3041, which expired September 23, 1941, for use of formerly licensed composite transmitter and install new vertical antenna as an auxiliary unit at 511 Dutra St., West Palm Beach, and specify **1230 kc.** (B3-P-3449).

WMAM—M & M Broadcasting Co., Marinette, Wisc.—Designated for hearing application for modification of license to change hours of operation from daytime to unlimited time, using power of 100 watts, 250 watts LS (B4-ML-1146).

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Designated for hearing application for renewal of license of Station WCOP (1) to determine the qualifications of the applicant to operate station WCOP in the public interest; (2) to determine the manner and method in which applicant has heretofore operated Station WCOP, particularly with respect to but not limited to foreign language programs, including methods of selecting and investigating personnel, qualifications of personnel, sale of time, and supervision of programs; (3) to determine whether, in view of the facts shown by the examination of the foregoing issues, the continued operation of Station WCOP would serve public interest, convenience, and necessity.

The Commission has announced that it has designated for hearing an application of the Massachusetts Broadcasting Corp. for the renewal of license of Station WCOP, Boston, Mass. The station is one of several foreign language stations controlled by Arde Bulova. The bill of particulars states that the hearing has been set to determine the manner in which the applicant has heretofore operated Station WCOP, particularly with respect to foreign language programs. Testimony at the hearing will concern methods of selecting and investigating personnel, qualifications of personnel, sale of time, and supervision of programs. Following examination of the foregoing issues the Commission will determine whether continued operation of Station WCOP by the present operator would serve public interest.

The Commission has investigated Franco Gallucci, one of WCOP's announcers and its chief Italian program time-broker, who was president for many years of the Massachusetts Federation of Dopolavero, a Fascist front organization, and Ubaldo Guidi, another announcer. Guido had close contact with the Italian Consulate at Boston and was widely known throughout New England as an organizer of a Fascist group. Guido has been arrested by the FBI and has been interned since the attack on Pearl Harbor.

Italian broadcasting on the station was begun at the direction of the late Luigi Fiato, who was executive secretary of the Boston Fascio of the Fascist League of North America.

COMMISSION ORDERS

The Commission has set aside and annulled its order of January 21, 1941, revoking the license of station WDLP, of Panama City, Florida. In the same order it renewed the station license and granted the transfer of control of the Panama City Broadcasting Company to Bay County Publishers, Inc.

The Commission also annulled its order of January 21 revoking the license of Station WTMC, of Ocala. Florida. It granted license renewal to the station and granted transfer of control of the licensee corporation, Ocala Broadcasting Co., Inc., from John T. Alsop, Jr., to News-Journal Company.

Its orders in these two cases are as follows:

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 2nd day of December, 1942:

The Commission, having under consideration its order of January 21, 1941, revoking the license of Panama City Broadcasting Company, licensee of Station WDLP, Panama City, Florida, the evidence adduced at the hearing thereon and the proceedings of record therein; and also the application (File No. B3-TC-220) for transfer of control of the licensee corporation to Bay County Publishers, Inc.; and also the application (File No. B3-R-1053) of Panama City Broadcasting Company for renewal of license to operate Station WDLP; and the Commission finding that public interest will be served by vacating, setting aside and annulling its order of January 21, 1941, herein, and by granting the application for transfer of control and renewal of license of Panama City Broadcasting Company, licensee of Station WDLP, Panama City, Florida;

It is ordered, that the Commission's order of January 21, 1941, revoking the license of Panama City Broadcasting Company, licensee of Station WDLP, Panama City, Florida, be, and it is hereby, vacated, set aside and annulled; and

It is further ordered that the application (File No. B3-TC-220) for transfer of control of Panama City Broadcasting Company to Bay County Publishers, Inc., be, and it is hereby, granted; and

It is further ordered, that the application (File No. B3-R-1053) of Panama City Broadcasting Company for renewal of license to operate Station WDLP, be, and it is hereby, granted.

The Commission, having under consideration its order of January 21, 1941, revoking the license of Ocala Broadcasting Company, Inc., licensee of Station WTMC, Ocala, Florida, the evidence adduced at the hearing thereon and the proceedings of record therein; and also the application (File No. B3-TC-219) for transfer of control of the licensee corporation from John T. Alsop, Jr., to News-Journal Company; and also the application (File No. B3-R-1003) of Ocala Broadcasting Company, Inc., for renewal of license to operate Station WTMC; and the Commission finding that public interest will be served by vacating, setting aside and annulling its order of January 21, 1941, herein, and by granting the application for transfer of control and renewal of license of Ocala Broadcasting Company, Inc., licensee of Station WTMC, Ocala, Florida;

It is ordered, that the Commission's order of January 21, 1941, revoking the license of Ocala Broadcasting Company, Inc., licensee of Station WTMC, Ocala, Florida, be, and it is hereby, vacated, set aside and annulled; and

It is further ordered, that the application (File No. B3-TC-219) for transfer of control of the licensee corporation from John T. Alsop, Jr., to News-Journal Company, be, and it is hereby, granted; and

It is further ordered, that the application (File No. B3-R-1003) of Ocala Broadcasting Company, Inc., for renewal of license to operate Station WTMC, be, and it is hereby, granted.

DOCKET CASE

The Commission has announced its Findings of Fact, Conclusion, and Order (B-150), denying the application of Dodge City Broadcasting Co., Inc. (KGNO), Dodge City, Kans., for modification of license to increase nighttime operating power from 250 to 500 watts (Docket No. 5955).

In its conclusion, the Commission states:

"One of the issues to be determined in connection with the instant application is whether the granting thereof would tend toward a fair, efficient, and equitable distribution of radio service, as contemplated by Section 307(b) of the Communications Act of 1934, as amended. As heretofore shown, the granting of the instant application would enable KGNO to extend its present nighttime service to include an additional area of about 231 square miles and some 1,068 potential listeners who are now without primary broadcast service. This gain in service, however, would be accomplished at the expense of some 5,630 listeners who would lose service from Station KFRO, Longview, Texas. While it is clear from the evidence that some of these listeners who would be so affected have service available from KOCA, Kilgore, Texas, there has not been an adequate showing as to the number or portion thereof residing within the nighttime primary service area of this station. Since the showing in this respect is not complete, we are unable to resolve the issue heretofore stated in favor of the applicant and reach the requisite statutory conclusion that the operation proposed herein would serve public interest, convenience, or necessity."

MISCELLANEOUS

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted modification of construction permit as modified, which authorized installation of new transmitter and directional antenna for day and night use, change hours of operation, increase power, and move transmitter and studio, for change in type of transmitter and extension of completion date from November 30, 1942, to 90 days after grant (B2-MP-1667), subject to conditions.

WMBI—The Moody Bible Institute of Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1475).

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted extension of special service authorization to operate unlimited time with power of 25 KW, 50 KW LS, employing directional antenna at night, and using transmitter described in its construction permit B3-P-2539 (B3-SSA-54).

K37LA—Earle C. Anthony, Inc., Los Angeles, Calif.—Cancelled outstanding construction permit (B5-PH-45 and B5-MPH-66), deleted call letters, and closed the records of the Commission with respect to this station, because of inability to obtain materials.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Passed for two weeks petition for leave to intervene in the hearing on application of WQBC, Vicksburg, Miss.

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.; KFAB—KFAB Broadcasting Co., Lincoln, Neb.; WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.; WJAG—The Norfolk Daily News, Norfolk, Neb.—Passed for one week petition to dismiss without prejudice applications of applicants in Dockets 5269, 5270, 5271 and 5864.

KNOE, Inc., Monroe, La.—Granted motion to dismiss without prejudice application for construction permit (B3-P-2887).

WCSH—Congress Square Hotel Co., Portland, Maine.—Granted petition to dismiss without prejudice application for construction permit (B1-P-3490).

KVAK—Carl Latenser (Assignor), Radio Enterprises, Inc. (Assignee), Atchison, Kans.—Granted motion to dismiss application for voluntary assignment of license of station KVAK (B4-AL-320).

WHKC—United Broadcasting Co., Columbus, Ohio.—Granted petition to accept amendment to application for construction permit for changes in directional antenna system.

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Denied petition for reconsideration and grant of application for construction permit to increase power from 1 KW to 5 KW, move transmitter, install new transmitter, and install directional antenna for night use (B-P-3499, Docket 6440).

APPLICATIONS FILED AT FCC

710 Kilocycles

WFTL—Ralph A. Horton, Ft. Lauderdale, Fla.—Modification of construction permit (B3-P-3355 as modified, which authorized change in frequency, increase in power, new transmitter and directional antenna for night use and move of transmitter) for extension of completion date from 1-5-43 to 3-5-43.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Special service authorization to operate from 7 a. m. to local sunrise during months of November, December, January and February, with power of 250 watts, for period ending 2-1-44.

820 Kilocycles

WGST—Georgia School of Technology, Atlanta, Ga.—Authority to determine operating power by direct measurement of antenna power.

860 Kilocycles

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Modification of license to move main studio from McHenry & Sylvan Aves., Modesto, Calif., to Norwegian Ave., between Sunrise Ave. & Coffee Road, 1¼ mile N. of NE corner of Modesto.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Authority to determine operating power by direct measurement of antenna power.

1330 Kilocycles

WHAZ—Rensselaer Polytechnic Institute, Troy, N. Y.—Authority to determine operating power by direct measurement of antenna power.

TELEVISION APPLICATION

W2XCB—Columbia Broadcasting System, Inc., area New York, N. Y.—Modification of construction permit (B1-PVB-46 as modified, which authorized new television relay station) for extension of completion date only, from 1-7-43 to 7-7-43.

MISCELLANEOUS APPLICATIONS

W55M—The Journal Co. (The Milwaukee Journal), Richfield, Wis.—License for new auxiliary modulator unit (using unit formerly licensed to Station W9XAO).

KSRO—Ernest L. Finley, Santa Rosa, Calif.—Involuntary assignment of license from Ernest L. Finley, deceased to Ruth W. Finley, Executrix.

KAOY—Don Lee Broadcasting System, area Los Angeles, Calif.—License to cover construction permit (B5-PRE-297 as modified, which authorized new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

L. & C. Hardtmuth, Inc., Bloomsbury, N. J., and Koh-I-Noor Pencil Co., Inc., 373 Fourth Ave., New York, are charged in a complaint with falsely representing that the pencils they manufacture and sell are wholly of domestic make when actually the leads therein were imported from Germany and Czechoslovakia. (4875)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Baltimore Luggage Co., 105 West Pratt St., Baltimore, stipulated to discontinue representing that any part of an article of luggage sold by them is made of wood or brass when actually such part is made of a product or products other than wood or brass; use of the word "genuine" as descriptive of split leather; selling any article of luggage made of so-called split leather or leather other than the top grain, unless tags or labels showing that such leather is split or cut from the under side of the hide and is not top grain be attached to the article so as to remain thereon until it reaches the ultimate purchaser; and making any representation which has the tendency of misleading or deceiving the purchasing public with respect to the grade, quality, origin, construction, durability, character, or finish of any article of luggage, its fittings, or the leather or other material of which it is composed. (3580)

Federal Bakery Co., Winona, Minn., selling a food product designated "Federal Prize Winner Bread," and M. H. White and H. R. Wiecking, trading as Winona Radio Service, 216 Center St., Winona, advertising agents who disseminated advertisement for the product, have stipulated to cease and desist from representing that Federal Prize Winner Bread supplies substantial amounts of the vitamins and the food minerals; that it conforms to the recommendations of the Committee on Food and Nutrition of the National Research Council; that the consumption of this bread in customary amounts will provide the daily minimum requirement of thiamin; that the bread is made with whole milk as one of its ingredients; or that more of this bread is sold in the Winona, Minnesota, market than any other bread, or that because of the presence of thiamin it will aid in the digestion of food. (03079)

Hill Brothers Co., Hudson, Mass., manufacturing and selling men's shoes, has stipulated to cease and desist from use of the words "Cross & Cross," in connection with a crown or shield, or the words "The House of McGregor's Ltd.," either alone or in connection with the words "Bespoke Bootmakers," or with any other words, picturization, or insignia customarily identified with the British Isles, as a mark, stamp or brand name for, or to otherwise purportedly describe or refer to its domestically-made products; and from use of words or combinations in any way, the effect of which conveys the belief to purchasers that the products are of British make or imported from England; from use of the words "Hand Made," or words of similar implication as purportedly descriptive of products not made by hand; and from use of any named concern, such as "Dominick & Dominick," so as to convey the belief that the products are manufactured by or in accordance with the specific order of the named concern when such is not the case. (3575)

Old Trusty Dog Food Co., Inc., Needham Heights, Mass., stipulated that in the sale of a dog food designated "Supreme Meal" it will cease and desist from representing that the United States Government has adopted general specifications for dog foods and that its product is compounded in accordance with "U. S. Government Specifications"; that its product is "scientifically balanced" or constitutes a balanced ration for dogs of all breeds and ages; that "Supreme Meal" contains blood-purifying minerals or by reason of its mineral or other content possesses blood-purifying properties, and that the product will prevent infectious diseases or insure the virility, vigor or health of dogs. The respondent company also agrees to stop making any comparison of the vitamin content of its product with the vitamin content of a dog food deficient in the vitamins indicated, the effect of which is to imply that its product contains vitamins in excess of the actual vitamin content. (3579)

Paul's Furniture Store, Westwood, N. J., Paul Gluck and Bernard Gluck, retailers of household merchandise, furniture and rugs, stipulated that they will discontinue the use of advertising which has the capacity or tendency to convey the belief to customers that the merchandise referred to in such advertising is new when actually it has been used or repossessed; that the persons referred to in the advertising are in possession of the advertised merchandise or have a salable interest in it; that the price for which the merchandise is advertised for sale is the unpaid balance due thereon or does not exceed the sum remaining unpaid by such persons; or that the advertising had been inserted or authorized by such persons. The respondents also agree to stop using the word "Oriental" to refer to rugs which are not made in an Oriental country and do not contain all of the essential characteristics and qualities of Oriental rugs; unless, if such word is used properly to designate only the pattern or design of the rugs, it shall be immediately accompanied by other words, such as "design" or "pattern," printed in equally conspicuous type, so as to clearly indicate that only the design or pattern is a likeness of an Oriental design or pattern. The respondents further stipulate that they will discontinue using the words "Oriental Reproduction" as descriptive of rugs which are not in fact reproductions of the indicated type. (3581)

Reese Chemical Co., Cleveland, Ohio, selling a medicinal preparation designated "Blu-Tabs," has stipulated to cease and desist from disseminating any advertisement which fails clearly to reveal that frequent or continued use of the preparation may cause nervousness, restlessness or sleeplessness; that individuals suffering from high blood pressure, heart disease, diabetes or thyroid trouble should not use the preparation except on competent medical advice; that it should not be used in case of lung disease or chronic cough, and that if a skin rash appears its use should be discontinued; provided, however, that such advertisement need only contain the statement: "Caution, use only as directed," if the directions for use contain a caution or warning to the same effect. (03080)

Ruckel Manufacturing Co., 547 Broadway, New York, manufacturer of comforter and blanket covers, entered into a stipulation to cease and desist from the use on labels or stationery, or in any other manner, of the term "Eighty Square" as descriptive of the fabric of which his products are made and from the use of such term or of any similar term, the effect of which tends to convey the belief that the fabric is composed of the designated number of threads or picks to the square inch when actually the thread count is other than that indicated; the term "Full Size" to imply that products so designated are of a 72-inch by 84-inch size, as the term "Full Size" is understood in the trade; and the brand "82 x 90" or any other purported size indication which is not truthfully representative of the actual dimensions of the products. (3578)

Ben Schwartzman, Inc., 150 West 28th St., New York, selling and distributing fur garments, has entered into a stipulation to cease and desist from the use in advertisements or on labels, tags, or other media, of any representation or designation of a fur which deceptively conceals the true name or nature of the fur with the tendency to mislead or deceive purchasers, and from designating or describing furs in any manner other than by the use of the correct name of the fur as the last name of its description, and when any dye, blend or process is used in simulating another fur, the true name of the fur appearing as the last word of the description shall be immediately preceded in equally conspicuous type by the word "dyed" or "blended" compounded with the name of the simulated fur, such as "Seal-dyed Coney," "Beaver-dyed Coney," and "Mouton-dyed Lamb." (3574)

Standard Corset Co., 144 Race St., Holyoke, Mass., has entered into a stipulation to cease and desist from representing that the corsets or foundations it sells will cause firm muscles, remove excess avoirdupois, reduce the hips or waist, or correct irregularities or defects of the figure; and that the front of its so-called "Armmori Belt" is fully elastic, is made to comply with the laws of nature, and is prescribed by physicians and surgeons for abdominal irregularities. (3576)

St. Lawrence Textile Mills, Inc., 1261 Broadway, New York, engaged in the sale of oil silk and rayon fabrics, stipulated to discontinue use of the word "Mills" as part of its corporate or trade name and the word "manufacturers" or other words of like meaning to imply that it manufactures the products it sells or actually owns and operates or directly controls a plant or factory in which such products are made. (3577)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Joseph Cohen, 713 Otis Place, N. W., Washington, D. C., has been ordered to cease and desist from the sale and distribution of so-called press supplies, including press cards and automobile press tags represented as entitling the holder to pass through police and fire lines and to receive the courtesies and privileges extended to regular newspaper correspondents. (4783)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON, D. C. Vol. 10, No. 51, December 25, 1942

NAB HEADQUARTERS MOVED

To facilitate reply, all future correspondence should be addressed to the Association at 1760 N Street, N. W. Western Union telegrams should be addressed to the Association, WUX, Washington; telegrams over other systems, at the address above given. The telephone number is NAtional 2080.

PETER DENIES OPINIONS LAID TO HIM BY PAPER

Paul Peter, NAB Research Director, has disowned, without reservation, those opinions about small radio stations attributed to him in a recent issue of *Radio Daily.*

Mr. Peter sent the following letter to Chairman Fly of the FCC in reference to the matter:

December 14, 1942

Honorable James Lawrence Fly, Chairman
Federal Communications Commission
Washington, D. C.

Dear Mr. Fly:

I disown, without reservation, those opinions about small radio stations attributed to me in Monday's *Radio Daily.* I neither uttered the statements attributed to me, nor do they represent my views.

To the contrary, my own personal view is that the small stations are rendering a substantial service to the nation, and the importance of that service during the war period is considerably increased. One of the greatest values of the broadcasting industry to the war effort rests in its ability to reach the maximum number of people in our country. Small stations in towns of low population are the sole source of broadcasting during daylight hours to a sizeable segment of the nation's population. I have repeatedly stated it is essential that small station service be maintained.

The NAB is currently working to assist stations in the development of additional business and in the solution of their manpower problems. At this time, we are setting up a retail advertising clinic designed to promote the sale of broadcast advertising to retail business. Small stations depend largely on local merchants for their revenue, and it is logical to expect that they will have most to gain from this NAB activity.

I assure you that the views expressed in *Radio Daily* are not mine and that, on the problem of small station operation, NAB is aligned with the FCC to promote their interests.

Sincerely yours,

Paul F. Peter,
Director of Research.

NAB ASKS SELECTIVE SERVICE FOR NEW DEFERMENT PLAN

NAB has requested General Lewis B. Hershey, Director of the Selective Service System, to include the radio broadcasting industry under the plan set up for occupational deferments in critical scientific fields and other highly specialized fields. The matter is under consideration.

The plan was released as LBR 159 and at present covers only physicists. If broadcasting is included under the plan, an industry committee would be appointed and authorized to endorse all Forms 42-A which in its determination make out proper cases for occupational deferment. Local Boards would be expected to give great weight to Forms 42-A thus approved.

We print below NAB's letter to General Hershey and LBR 159:

November 19, 1942

Major General Lewis B. Hershey, Director
National Headquarters, Selective Service System
21st Street and C Street, N. W.
Washington, D. C.

Re: LBR 159,—National Committees for Critical Scientific Fields

Dear Sir:

On behalf of the National Association of Broadcasters by direction of the association's president, Mr. Neville Miller, and in the interests of the radio broadcasting industry, I respectfully request that "The National Committee on Radio Broadcasting, National Association of Broadcasters, Washington, D. C.," be authorized by you under the above-captioned Local Board Release.

Mr. Miller has designated the six Directors-at-Large of the Association, and will designate the Network Directors of the Association if they care to serve, to be the committee. The Directors-at-Large are elected by the membership of the Association annually,—two to represent large stations, two medium sized stations and two small stations. The present incumbents were elected at the Annual Convention of the NAB last May. A committee so composed will represent all segments of the industry and the various types of station operations. Because the members have been elected by the membership of the Association, we are sure the industry will have complete confidence in the integrity and judicial temperament of the committee.

(Continued on page 722)

HAPPY NEW YEAR

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W. WASHINGTON Phone NAtional 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising;* Howard Frazier, *Director of Engineering;* Joseph L. Miller, *Director of Labor Relations;* Paul F. Peter, *Director of Research;* Russell P. Place, *Counsel;* Arthur C. Stringer, *Director of Promotion.*

NAB ASKS SELECTIVE SERVICE FOR NEW DEFERMENT PLAN

(Continued from page 721)

The committee as designated comprises: Edwin W. Craig, WSM, Nashville; J. O. Maland, WHO, Des Moines; Eugene O'Fallon, KFEL, Denver; Don S. Elias, WWNC, Asheville; Herbert Hollister, KANS, Wichita; and, James W. Woodruff, Jr., WRBL, Columbus, Georgia.

If the networks care to be represented on the committee, the Network Directors are: Paul W. Kesten, Vice President, Columbia Broadcasting System, New York City; and, Frank M. Russell, Vice President, National Broadcasting Company, Washington, D. C.

Inasmuch as the greater part of the industry's requests for occupational deferment deal with technicians requiring scientific knowledge or others in highly specialized fields, I believe the industry can be appropriately brought under the National Committee Plan.

The adaptability of the Manning Table Plan to the radio broadcasting industry has been thoroughly explored. We have concluded that our industry, chiefly composed as it is of 909 relatively small units, is not well suited to that plan. Exclusive of network employees as such, the average number of employees per radio station is estimated to be 21, with the range of employment running from two to only 132.

Based on returns from a survey we have recently completed 601 stations out of 909 in operation all over the United States and its territorial possessions have indicated that there were in their employ on September 16, 1942, only 2,464 men whom they deem to be "necessary men" in critical occupations. Of this number, 150 are in Class I-A, 116 are in Class II-A or II-B, and 1,958 in Class III-A or III-B. Approximately 67% of the men in Class III-A and III-B have dependent children. Thus it may readily be seen that the number of registrants in the radio broadcasting industry likely to be affected during the next year is exceedingly small, and that our situation is one well adapted to the National Committee Plan set forth in LBR 159, and ill adapted to the Manning Table Plan.

Your earnest consideration of this request will be greatly appreciated to the end that we may put the plan into operation at the earliest possible date.

I shall be most happy to furnish you with any additional information in this connection which you may desire.

Respectfully yours,

Russell P. Place,
Counsel.

NATIONAL HEADQUARTERS 622.21
SELECTIVE SERVICE SYSTEM
Washington, D. C.

November 7, 1942

LOCAL BOARD RELEASE NO. 159
EFFECTIVE: NOVEMBER 7, 1942

SUBJECT: NATIONAL COMMITTEES FOR CRITICAL SCIENTIFIC FIELDS

1. **Shortages in certain fields.**—In certain scientific and specialized fields there may occur, from time to time, critical shortages of persons who possess or who are in training or preparation to acquire the high degree of training, qualification, or skill necessary to engage in activities essential to war production or essential to the support of the war effort.

2. **National Committees may be authorized.**—When the War Manpower Commission has determined that there is such a critical shortage in a scientific or specialized field, the Director of Selective Service may authorize the appointment of a National Committee in that field, to assist the Selective Service System by reviewing affidavits for occupational classification.

3. **Filing Affidavit—Occupational Classification.**—When such a National Committee has been appointed for a scientific or specialized field, the employer or recognized university of college desiring occupational classification for a registrant who possesses the training, qualification, or skill in that field, or is in training or preparation therefor, may prepare Affidavit—Occupational Classification (Form 42 or 42A) in duplicate, file the copy with the local board in the usual manner, and forward the original to the National Committee.

4. **Action by the National Committee.**—When the National Committee receives a Form 42 or 42A, it will investigate the registrant. If, in its opinion, the registrant possesses the training, qualification, or skill and is a necessary man in an essential activity or a necessary man in training or preparation therefor, the National Committee is authorized to place a stamped endorsement prescribed by the Director of Selective Service on the original Form 42 or 42A and to file the form with the registrant's local board.

5. **Consideraton by local board.**—When the original Form 42 or 42A, stamped by the National Committee, is received by the local board, it shall be considered as showing that the registrant has been investigated, that in the opinion of the National Committee he possesses the training, qualification, or skill required, and that, as the case may be, he is a necessary man in an essential activity or a necessary man in training or preparation in such scientific and specialized field.

6. **Classification Advice (Form 59).**—When a Form 42 or 42A, stamped by a National Committee, has been received for a registrant and the local board, nevertheless, classifies the registrant as available for military service or for assignment to work of national importance, the local board shall notify the National Committee, as well as the employer or university or college, by mailing to the National Committee and to the employer or university or college Classification Advice (Form 59). In such case the National Committee, as well as the employer or university or college, may appeal to the board of appeal from classification of the registrant.

7. **National Committees.**—Attached is a list of National Committees for scientific and specialized fields authorized by the Director of Selective Service.

Lewis B. Hershey,
LBH/phw *Director.*
Distribution A, B, C, D, E, F

LIST OF NATIONAL COMMITTEES

Authorized by the Director of Selective Service to review affidavits for occupational classification in the scientific and specialized fields indicated:

Physicists

The National Committee on Physicists, National Roster of Scientific and Specialized Personnel, Washington, D. C.

Broadcast Advertising

BOOKS FOR THE ADVERTISING MAN

The Advertising Federation of America has just issued its 1942 bibliography entitled: "Books for the Advertising Man." This 36-page book contains 1414 listings, divided among 57 subject classifications. These range from Advertising Agencies to Window and Store Display.

There are 30 listings under Classification 39 "Radio Advertising." Each listing contains the following information: subject classification, name of author, title of book, year of publication, publication price, name of publisher and number of pages.

Periodically the Department of Broadcast Advertising receives requests for information on advertising publications. This exceedingly complete bibliography is available on the following basis: single copies, $1; 10 copies, $7.50; 25 copies, $12.50; 50 copies, $20.

If you want a copy, write to NAB. All orders will be grouped to earn the lowest possible rate and you will be notified of the cost to you before your order is actually placed with the AFA.

PER-INQUIRY REQUEST

Two months ago, a member station reported the effort of a District Circulation Representative of the Saturday Evening Post to place a subscription campaign on a P-I basis. Since two or three similar reports have been received, it seems appropriate to reprint part of a letter from the Director of Circulation for the Curtis Publishing Company:

"The reason we had our men make inquiries of this kind was because at a meeting in the Middle West, in August, some of our men told us that certain of the smaller stations throughout the Southwest had been operating on this basis. We had no definite knowledge of it, and we asked our men to make inquiry and get us information.

"We might also add that, without our knowledge or permission, a subscription representative early this year made use of several stations on the West Coast in connection with a subscription campaign on a cost-per-sale basis.

"All that we were after was information that would give us a picture of the situation. Now that we understand there is objection to such a procedure, *we have instructed our men to discontinue their inquiries along this line.*"

From other evidence, we are confident that the subscription representatives of the Curtis Publishing Company have ceased all efforts to promote the use of a radio on a per-inquiry basis.

Full credit should be given to this famous weekly for terminating all efforts along these lines when informed of the broadcasting industry attitude.

NEED COUGH SYRUP?

Several member stations have sent in the letter and suggested announcements for "Grandma's Cough Syrup" from the Herald Advertising Company of San Antonio. Part of the letter deserves reproduction:

"This is your authority to run six announcements daily, including Sunday, on your station at your lowest local monthly package rate . . .

"In return for these announcements we will ship you prepaid, each month in advance, enough Grandma's Cough Syrup, in the regular sixty cent size, to equal your package rate, figuring Grandma's Cough Syrup at the regular wholesale rate of $4.80 per dozen.

"We will run this deal with you for four months . . ."

So—if you want to go into the wholesale and maybe the retail drug business, this is your opportunity. Seriously, are we such suckers as some people seem to think?

INFANTILE PARALYSIS

Next week all stations will receive a letter from Neville Miller, NAB president, and Chairman, National Radio Division, The National Foundation for Infantile Paralysis.

The letter asks station cooperation in connection with the Foundation's annual fund raising campaign through The Celebration of the President's Birthday. The letter reads:

"As the United States enters its second year of World War II, we are just beginning to see the effects of total war upon our populace—food must be rationed, our homes are not as warm as usual, but there is one thing that cannot be rationed, and that is the health and welfare of our children. The American radio industry cannot fail the children of America. One of the greatest scourges of childhood is the threat of Infantile Paralysis—an epidemic disease which leaves cripples in its wake.

"In America, through the facilities of The National Foundation for Infantile Paralysis, cripples are rehabilitated and given every chance to lead normal lives. Hundreds of orthopedic patients are now at work on vital war equipment in our airplane, radio and other precision factories.

"To carry on the work of the National Foundation costs millions of dollars. The National Foundation must be prepared for any eventualities. I, as Chairman of the National Radio Division, earnestly solicit the cooperation of your facilities and personnel in this nationwide crusade against Infantile Paralysis.

"Within the next few weeks you will receive various types of material, both transcribed and live, from our radio division. I urge you to use this material. May I also suggest that you cooperate with the local chairman in your vicinity and help him build special Infantile Paralysis programs.

"Recent research proves that the radio audience is now larger than at any time in history. Hence radio, the world's greatest mass medium, must and will help put the 1943 fight against Infantile Paralysis over the top."

TO DEVISE TRAINING PATTERN

Under actual working conditions, the National Electronic Distributors Association is working out a pattern of minimum instruction for radio service trainees. When perfected the plan will be made available nationally. It was undertaken at the suggestion of Jerry R. Hawke, assistant director, Vocational Training for War Production Workers, and William P. Loomis, Assistant Director in Charge of Instructional Materials, Vocational Training for War Production Workers, both of the Office of Education.

The study follows conferences at NAB with George D. Barbey, Association President of Reading, Pa.

More Station Help

To conserve manpower, more stations are explaining to listeners why it will help in the wartime effort if listeners will bring their radios to radio repairmen instead of asking repairmen to call. Another group of cooperators is listed below:

WRDO — Augusta, Me.; KRE — Berkeley; WKRO — Cairo; WFAA-KGKO — Dallas; WRUF, Gainesville; WMIS—Natchez; WWL—New Orleans; KGY—Olympia; KWSC—Pullman; WFBL—Syracuse; WTNJ—Trenton.

MESSAGE FROM ADMIRAL JACOBS

Randall Jacobs, Rear Admiral, U. S. N., The Chief of Naval Personnel, has asked NAB to extend greetings to stations of the United States and to convey "the gratitude of the Navy for their deeply patriotic interest and outstanding cooperation. The broadcasting industry shares no small part of the credit for the success of Navy recruiting in fully keeping pace with the unprecedented needs of global war."

WCSC GIVES CUP

A silver cup will be awarded by Radio Station WCSC, Charleston, to the shop in the Charleston Navy Yard having the best all-round record for the first seven months of 1943.

The cup, signifying group leadership in all matters pertinent to the war effort, will be displayed at points throughout the Yard during the period of competition, and will be awarded in a ceremony next Labor Day.

J. E. McCAW NOW MAJOR IN AAF

J. E. McCaw, general manager, KELA, Centralia, Wash., has recently been promoted to Major in the Army Air Forces. Major McCaw is attached to the headquarters staff in Washington, D. C.

COST OF LIVING

The Labor Department reports that the cost of living increased 0.7 per cent between October 15 and November 15, bringing the index to 119.8 per cent of its 1935-39 average.

"NAVAL AIDE AUXILIARY"

A southern member reports that Irving Parker of "Naval Aide Auxiliary" is seeking free time to publicize exhibitions of what purports to be a captured Messerschmitt plane.

The Navy Department reports that "Naval Aide Auxiliary" has no connection with the U. S. Navy or the Navy Relief Society, and is reported to be a California corporation.

FEDERAL COMMUNICATIONS COMMISSION

FLY PRESS CONFERENCE

Progress is being made on the study by the FCC of the small stations financial situation according to James Lawrence Fly, Chairman of the Commission. Following conferences which the Commission officials had with the OWI the Chief Accountant of the FCC is preparing some figures analyzing the financial situation of the stations, and it has been tentatively planned that conferences be held to discuss the problem with the advertisers although no definite steps have been taken in that direction.

Mr. Fly told the newsmen at a press conference early this week that pending completion of the analysis being made by the accounting department, "we are somewhat impeded at the moment by not having 1942 figures." Normally the financial figures for the year would not be available to the Commission until March but Mr. Fly said that owing to the unusual situation he is having brief questions sent to all stations, and "we hope the stations will give us immediately the returns for the complete year of 1942 with the thought that the figures will not be binding."

Chairman Fly said, in announcing the abbreviated questionnaire, "The stations can use approximated figures, and in any case they will be tentative. But in order to help the stations at this juncture we really need all the information they can give us now. I think that by the middle of January we ought to have something to report. I don't mean to say that the whole matter will be settled by then but I feel optimistically that we can progress very expeditiously with it."

The Chairman told the conference that he hoped very shortly to have something on the manpower situation as it affects the broadcasting industry. The Manpower Commission representatives, he said, have been giving very intensive study to the problems of the industry and, "we have had some recent conferences." Mr. Fly said he thought there is a very good prospect that they will come off with a pretty good understanding as to the essential character of the radio business and ultimately a recognition of all the essential features of that business. "I don't want to be too optimistic about it, but I do want to say that I am optimistic on the prospect of getting favorable solution there," he said.

Mr. Fly in further discussion of the manpower situation said he thought every branch of the industry should make every effort possible to bring in new labor material, "bring in young men, for example, and train them and bring them up to responsibilities." He also expressed the opinion that older men who have the capacity should be trained. He stated that "it would be a great mistake to overlook the tremendous resources we have in the woman power generally available, and it has been discovered in broadcasting particularly that women have a very broad and great capacity." He said, still speaking of the woman power of the country, "I should think we would be derelict if we overlooked that resource."

RULES CHANGES

The Commission has announced the following action on rules and regulations dealing with international broadcast stations:

Adopted an Order suspending until further order of the Commission Subsection (f)(1), (2) and (3) of Section 4.43, Subsections (d) and (e) of Section 4.44, and Section 4.46 of the Rules and Regulations governing international broadcast stations. These particular restrictions were considered unnecessary at this time. This action was taken in order to coordinate the operation of all international broadcast stations in the interest of the Government for the conduct of psychological warfare and to insure maximum flexibility of operation.

The text of the suspended subsections and section is as follows:

Subsection (f)(1), (2) and (3) of Section 4.43:

"(f)(1) Each licensee of an international broadcast station shall make verbatim mechanical records of all international programs transmitted.

"(2) The mechanical records, and such manuscripts, transcripts, and translations of international broadcast programs as are made shall be kept by the licensee for a period of two years after the date of broadcast and shall be furnished the Commission or be available for inspection by representatives of the Commission upon request.

"(3) If the broadcast is in a language other than English the licensee shall furnish to the Commission upon request such record and scripts together with complete translations in English."

Subsections (d) and (e) of Section 4.44:

"(d) An international broadcast station will not be authorized to use more than one frequency listed in any group listed in paragraph (a) without a showing of technical necessity.

"(e) Not more than one frequency shall be used simultaneously under the same authorization and call letter designation."

Section 4.46: "A supplemental report shall be filed with and made a part of each application for renewal of license and shall include statements of the following:

(a) The number of hours operated on each frequency.

(b) A list of programs transmitted of special international interest.

(c) Outline of reports of reception and interference and conclusions with regard to propagation characteristics of the frequency assigned."

At the same time the Commission interpreted Subsections (d) and (e) of Section 4.43 as requiring a single station identification for all stations which are carrying the same program, and as requiring identification of international broadcast stations only at the beginning and end of a transmission.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

No hearings or oral arguments are scheduled to be heard before the Commission during the week beginning Monday, December 28.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WTBO—Aurelia S. Becker, Administratrix for Frank V. Becker, deceased (Tranferer), Aurelia S. Becker (Transferee), Associated Broadcasting Corp. (Licensee), Cumberland, Md.—Granted consent to transfer control of Associated Broadcasting Corporation, Station WTBO, from Mrs. Aurelia S. Becker, Administratrix of the estate of her deceased husband, Frank V. Becker, to Aurelia S. Becker as an individual. There is no monetary consideration involved in this transfer of control (B1-TC-312).

WJWC—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted Special Service Authorization for term of license period ending April 1, 1944, to operate with 5 KW, DA-night, on frequency of **1520 kc.**

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted special temporary authority to operate station WOOD unlimited time on **1300 kc.** with 5 KW power, for a period of 60 days.

WBAX—John H. Stenger, Jr., Wilkes-Barre Pa.—Granted petition for extension of effective date of Decision and Order in re application for renewal of license for period of 90 days. (Docket 5430.)

WHEC, Inc., Rochester, N. Y.—Granted construction permit (B1-PH-96) for new high frequency (FM) station, subject to Order No. 79, which contains fundamental policy in re newspaper ownership of radio station; channel **44700 kc.,** 300 square miles, subject to meeting engineering conditions.

LICENSE RENEWALS

Licenses for the following stations were further extended upon a temporary basis only, for the period ending February 1, 1943, pending determination upon application for renewal of license:

KBST, Big Spring, Texas; KCMC, Texarkana, Texas; KCRJ, Jerome, Ariz.; KFMB, San Diego; KGEZ, Kalispell, Mont.; KGFW, Kearney, Neb.; KGGF, Coffeyville, Kans.; KGKL, San Angelo, Texas; KHBC, Hilo, Hawaii; KHBG, Okmulgee, Okla.; KID, Idaho Falls, Idaho; KIEM, Eureka Calif.; KINY, Juneau, Alaska; KPLT, Paris, Texas; KRBA, Lufkin, Texas; KRBC, Abilene, Texas; KVGB, Great Bend, Kans.; KWFC, Hot Springs, Ark.; KWKH, Shreveport, La.; KXL, Portland, Ore.; WAAB and auxiliary, Boston; KBBZ, Ponca City, Okla.; WBNX, New York City; WBRW, Welch, W. Va.; WCAZ, Carthage, Ill.; WCBT, Roanoke Rapids, N. C.; WEDC, Chicago; WFCI, Pawtucket, R. I.; WFPG, Atlantic City, N. J.: WFTC, Kinston, N. C.; WGES, Chicago; WHOM, Jersey City, N. J.; WING, Dayton, Ohio; WJBW, New Orleans, La.; WLBJ, Nr. Bowling Green, Ky.; WLOF, Orlando, Fla.; WNBZ, Saranac Lake, N. Y.; WOCB, Nr. Hyannis, Mass.; WOKO and auxiliary, Albany, N. Y.; WTEL, Philadelphia; WTRC, Elkhart, Ind.; WHOM auxiliary, Jersey City.

The following stations were granted renewal of licenses for the period ending December 1, 1944:

KCRC, Enid, Okla.; KEVE, Everett, Wash.; KGCX, Sidney, Mont.; KGIR, Butte, Mont.; WHK, Cleveland, Ohio; WQBC, Vicksburg, Miss.

WSPD—WSPD, Inc., Sarasota, Fla.—Granted renewal of license for the period ending October 1, 1943.

WFIN—Findlay Radio Co., Findlay, Ohio.—Granted renewal of license for the period ending October 1, 1944.

W5XAU—WKY Radiophone Company, Oklahoma City, Okla.—Present license further extended upon a temporary basis only, for the period ending February 1, 1943, pending determination upon application for renewal.

W9XLA—KLZ Broadcasting Company, Denver, Colo.—Present license further extended upon a temporary basis only, for the period ending February 1, 1943, pending determination upon application for renewal.

WRUL—World Wide Broadcasting Corp., Boston, Mass.—Present license further extended upon temporary basis only, for the period ending February 1, 1943, pending determination on renewal of application.

MISCELLANEOUS APPLICATIONS

KMA—May Broadcasting Co., Shenandoah, Iowa.—Granted modification of construction permit which authorized installation of directional antenna for night use and increase in power, for extension of completion date from December 24, 1942, to February 22, 1943 (B4-MP-1678).

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Granted modification of construction permit as modified, which authorized installation of directional antenna for night use, and increase in power, for extension of completion date from December 15, 1942, to February 15, 1943 (B3-MP-1669).

KGDM—E. F. Peffer, Stockton, Calif.—Granted modification of construction permit as modified, which authorized change in frequency, hours of operation, increase in power, installation of directional antenna for night use and new transmitter, for extension of completion date from December 20, 1942, to January 20, 1943 (B5-MP-1676).

KHS—Golden Empire Broadcasting Co., Chico. Calif.—Granted license to cover construction permit as modified, for installation of directional antenna for day and night use, and increase in power (B5-L-1733); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1474).

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Granted license to cover construction permit as modified, for new station (B4-L-1728): granted authority to determine operating power by direct measurement of antenna power (B4-Z-1470).

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1467).

W2XBD—General Electric Co., Schenectady, N. Y.—Granted license to cover construction permit for new ST station (B1-LST-5).

W65PH—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Denied petition for grant of application (B2-MPH-102) for modification of construction permit to change transmitter and studio locations, change type of transmitter, change in antenna system and for decrease in coverage; and (B2-MPH-81) modification of construction permit for extension of completion date, and designated both applications for hearing.

WGNY—WGNY Broadcasting Co., Newburgh, N. Y.—Denied petition for reconsideration of application for Special Service Authorization to operate unlimited time with 1 KW power, heretofore denied on September 8, 1942.

MISCELLANEOUS

WBZ—Westinghouse Radio Stations, Inc., Boston, Mass.—Dismissed without prejudice petition for leave to intervene and enlarge issues in re application of WCOA, Pensacola, Fla., for construction permit (Docket 6441).

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.; WBBM—Chicago, Ill.; KFAB—KFAB Broadcasting Co., Lincoln, Neb.; WJAG—The Norfolk Daily News, Norfolk, Neb.—Granted petition to dismiss without prejudice applications for construction permits (Dockets 1735, 5271, 5270 and 5864).

W9XER—Midland Broadcasting Co., Kansas City, Mo.—Granted motion to dismiss without prejudice application for developmental broadcast station to operate on **46500 kc.,** special emission for FM.

Butler Broadcasting Co., Hamilton, Ohio.—Granted petition to dismiss without prejudice application for new station (B2-P-2937); dismissed motion for extension of time within which to file exceptions.

APPLICATIONS FILED AT FCC

600 Kilocycles

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Modification of construction permit (B3-P-2814 as modified which authorized installation of new equipment, directional antenna for day and night use, change frequency, increase power and move) for extension of completion date from 12-22-42 to 3-22-43.

930 Kilocycles

KTKN—Edwin A. Kraft, Ketchikan, Alaska.—Authority to install new automatic frequency control equipment.

KTKN—Edwin A. Kraft, Ketchikan, Alaska.—Authority to determine operating power by direct measurement of antenna power.

1090 Kilocycles

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Voluntary assignment of license and special service authorization from The WBAL Broadcasting Company to Hearst Radio, Inc.

TELEVISION APPLICATION

W3XWT—Allen B. Dumont Laboratories, Inc., Washington, D. C.—Modification of construction permit (B1-PVB-31 as modified which authorized new television station) for extension of commencement and completion dates from 6-26-42 and 12-26-42 to 12-26-42 and 6-26-43 respectively.

MISCELLANEOUS APPLICATIONS

NEW—The Winter Street Corporation, Boston, Mass.—Authority to transfer control of The Winter Street Corp. (Parent Corp. of The Yankee Network, Inc.) from The John Shepard, 3rd Trust and The Robt. F. Shepard Trust by John Shepard 3rd and George R. Blodgett, Trustees to The General Tire & Rubber Company.

NEW—Evangelistic Mission, Pontiac, Mich.—Authority to transmit programs from Pontiac, Mich., to Canadian Station CKLW, Windsor, Canada.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist order should not be issued against them.

Berlou Manufacturing Co., Marion, Ohio, compounding and selling an aqueous arsenic preparation designated "Berlou Guaranteed Mothproof," is charge in a complaint with false advertising and misrepresentation. (4876)

Book-A-Week Club, Inc., 147 West 22nd St., New York, engaged in the sale and distribution of reference books designated as Standard American Encyclopedia and the University of Knowledge Wonder Books, is charged in a complaint with misrepresentation. (4877)

Chain Institute, Inc., et al.—Eighteen manufacturers of chain and chain products, including tire chains, and their trade association, Chain Institute, Inc., Chicago, are charged in a complaint with maintaining an unlawful combination to fix prices and eliminate competition in the manufacture and sale of their products.

The complaint also is directed against the Washington firm of Shirley, Olcott & Nichols, Government contract brokers, who allegedly acted as the agent for four of the respondent manufacturers in submitting collusive and identical bids to Government agencies buying tire chains.

American Chain & Cable Co., Inc., of York, Pa., and Bridgeport, Conn., is the so-called "price leader" for the Chain Institute members, who by agreement, the complaint alleges, follow the price increases and decreases announced by the respondent American. Other respondent manufacturers named in the complaint are:

The Bridgeport Chain & Manufacturing Co., Bridgeport, Conn.; The McKay Co., Pittsburgh; Pyrene Manufacturing Co., Newark, N. J.; Hodell Chain Co., Cleveland, Ohio; St. Pierre Chain Corp., Worcester, Mass.; S. G. Taylor Chain Co., Hammond, Ind.; Cleveland Chain & Manufacturing Co., Cleveland, Ohio.; Columbus McKinnon Chain Corp., Tonawanda, N. Y.; International Chain & Manufacturing Co., York, Pa.; Nixdorff-Krein Manufacturing Co., St. Louis, Mo.; Peerless Chain Co., Winona, Minn.; Round California Chain Co., San Francisco, Calif.; J. M. Russell Manufacturing Co., Naugatuck, Conn.; Seattle Chain & Mfg. Co., Seattle, Wash.; Turner & Seymour Manufacturing Co., Torrington, Conn.; Western Chain Products Co., Chicago; and Woodhouse Chain Works, Trenton, N. J.

Officers of the Institute named in the complaint are Dennis A. Merriman, managing director; Walter S. McCann, secretary and treasurer; William D. Kirkpatrick, president; George J. Campbell, Jr., vice president; and Frank A. Bond.

The respondent members of the firm of contract brokers are Alfred P. Shirley, Floyd B. Olcott and Forrest C. Nichols, with offices in the Mills Building, Washington. (4878)

CEASE AND DESIST ORDERS

No cease and desist orders were issued by the Commission during the past week.

STIPULATION

During the past week the Commission has announced the following stipulation:

G. E. Conkey Co., 6529 Broadway Ave., Cleveland, Ohio, selling and distributing a dry dog food preparation in cube, meal and pellet form designated "Conkeys Y-O Dog Ration"; and Rogers & Smith, 20 North Wacker Drive, Chicago, an advertising agency which disseminated advertisements for the product, have entered into a stipulation in which they agree to cease and desist from using the terms "meat," "dehydrated meat," "beef," or "dehydrated beef," or any other term of similar meaning to designate or describe dehydrated meat meal or beef meal, or any product which is not beef or meat. (03081)